

108TH CONGRESS
1ST SESSION

H. R. 2861

AN ACT

Making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 2004, and for other purposes.

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Making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 2004, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That the following sums are appropriated, out of any
4 money in the Treasury not otherwise appropriated, for the
5 Departments of Veterans Affairs and Housing and Urban
6 Development, and for sundry independent agencies,
7 boards, commissions, corporations, and offices for the fis-
8 cal year ending September 30, 2004, and for other pur-
9 poses, namely:

10 **TITLE I—DEPARTMENT OF VETERANS AFFAIRS**

11 **VETERANS BENEFITS ADMINISTRATION**

12 **COMPENSATION, PENSION AND BURIAL BENEFITS**

13 **(INCLUDING TRANSFER OF FUNDS)**

14 For the payment of compensation benefits to or on
15 behalf of veterans and a pilot program for disability ex-
16 aminations as authorized by law (38 U.S.C. 107, chapters
17 11, 13, 18, 51, 53, 55, and 61); pension benefits to or
18 on behalf of veterans as authorized by law (38 U.S.C.
19 chapters 15, 51, 53, 55, and 61; 92 Stat. 2508); and bur-
20 ial benefits, emergency and other officers' retirement pay,
21 adjusted-service credits and certificates, payment of pre-
22 miums due on commercial life insurance policies guaran-
23 teed under the provisions of article IV of the Soldiers' and
24 Sailors' Civil Relief Act of 1940 (50 U.S.C. App. 540 et
25 seq.) and for other benefits as authorized by law (38
26 U.S.C. 107, 1312, 1977, and 2106, chapters 23, 51, 53,

1 55, and 61; 50 U.S.C. App. 540–548; 43 Stat. 122, 123;
 2 45 Stat. 735; 76 Stat. 1198), \$29,845,127,000, to remain
 3 available until expended: *Provided*, That not to exceed
 4 \$17,617,000 of the amount appropriated under this head-
 5 ing shall be reimbursed to “General operating expenses”
 6 and “Medical services for priority 1–6 veterans” for nec-
 7 essary expenses in implementing those provisions author-
 8 ized in the Omnibus Budget Reconciliation Act of 1990,
 9 and in the Veterans’ Benefits Act of 1992 (38 U.S.C.
 10 chapters 51, 53, and 55), the funding source for which
 11 is specifically provided as the “Compensation, pension and
 12 burial benefits” appropriation: *Provided further*, That such
 13 sums as may be earned on an actual qualifying patient
 14 basis, shall be reimbursed to “Medical facilities revolving
 15 fund” to augment the funding of individual medical facili-
 16 ties for nursing home care provided to pensioners as au-
 17 thorized.

18 READJUSTMENT BENEFITS

19 For the payment of readjustment and rehabilitation
 20 benefits to or on behalf of veterans as authorized by law
 21 (38 U.S.C. chapters 21, 30, 31, 34, 35, 36, 39, 51, 53,
 22 55, and 61), \$2,529,734,000, to remain available until ex-
 23 pended: *Provided*, That expenses for rehabilitation pro-
 24 gram services and assistance which the Secretary is au-
 25 thorized to provide under section 3104(a) of title 38,
 26 United States Code, other than under subsection (a)(1),

1 (2), (5), and (11) of that section, shall be charged to this
 2 account.

3 VETERANS INSURANCE AND INDEMNITIES

4 For military and naval insurance, national service life
 5 insurance, servicemen's indemnities, service-disabled vet-
 6 erans insurance, and veterans mortgage life insurance as
 7 authorized by 38 U.S.C. chapter 19; 70 Stat. 887; 72
 8 Stat. 487, \$29,017,000, to remain available until ex-
 9 pended.

10 VETERANS HOUSING BENEFIT PROGRAM FUND PROGRAM

11 ACCOUNT

12 (INCLUDING TRANSFER OF FUNDS)

13 For the cost of direct and guaranteed loans, such
 14 sums as may be necessary to carry out the program, as
 15 authorized by 38 U.S.C. chapter 37, subchapters I–III,
 16 as amended: *Provided*, That such costs, including the cost
 17 of modifying such loans, shall be as defined in section 502
 18 of the Congressional Budget Act of 1974, as amended:
 19 *Provided further*, That during fiscal year 2004, within the
 20 resources available, not to exceed \$300,000 in gross obli-
 21 gations for direct loans are authorized for specially adapt-
 22 ed housing loans, 38 U.S.C. 3711(i).

23 In addition, for administrative expenses to carry out
 24 the direct and guaranteed loan programs, \$154,850,000,
 25 which may be transferred to and merged with the appro-
 26 priation for “General operating expenses”.

1 EDUCATION LOAN FUND PROGRAM ACCOUNT

2 (INCLUDING TRANSFER OF FUNDS)

3 For the cost of direct loans, \$1,000, as authorized
4 by 38 U.S.C. 3698, as amended: *Provided*, That such
5 costs, including the cost of modifying such loans, shall be
6 as defined in section 502 of the Congressional Budget Act
7 of 1974, as amended: *Provided further*, That these funds
8 are available to subsidize gross obligations for the prin-
9 cipal amount of direct loans not to exceed \$3,400.

10 In addition, for administrative expenses necessary to
11 carry out the direct loan program, \$70,000, which may
12 be transferred to and merged with the appropriation for
13 “General operating expenses”.

14 VOCATIONAL REHABILITATION LOANS PROGRAM ACCOUNT

15 (INCLUDING TRANSFER OF FUNDS)

16 For the cost of direct loans, \$52,000, as authorized
17 by 38 U.S.C. chapter 31, as amended: *Provided*, That such
18 costs, including the cost of modifying such loans, shall be
19 as defined in section 502 of the Congressional Budget Act
20 of 1974, as amended: *Provided further*, That funds made
21 available under this heading are available to subsidize
22 gross obligations for the principal amount of direct loans
23 not to exceed \$3,938,000.

24 In addition, for administrative expenses necessary to
25 carry out the direct loan program, \$300,000, which may

1 be transferred to and merged with the appropriation for
 2 “General operating expenses”.

3 NATIVE AMERICAN VETERAN HOUSING LOAN PROGRAM

4 ACCOUNT

5 (INCLUDING TRANSFER OF FUNDS)

6 For administrative expenses to carry out the direct
 7 loan program authorized by 38 U.S.C. chapter 37, sub-
 8 chapter V, as amended, \$571,000, which may be trans-
 9 ferred to and merged with the appropriation for “General
 10 operating expenses”: *Provided*, That no new loans in ex-
 11 cess of \$40,000,000 may be made in fiscal year 2004.

12 GUARANTEED TRANSITIONAL HOUSING LOANS FOR

13 HOMELESS VETERANS PROGRAM ACCOUNT

14 For the administrative expenses to carry out the
 15 guaranteed transitional housing loan program authorized
 16 by 38 U.S.C. chapter 37, subchapter VI, not to exceed
 17 \$350,000 of the amounts appropriated by this Act for
 18 “General operating expenses” and “Medical services for
 19 priority 1–6 veterans) may be expended.

20 VETERANS HEALTH ADMINISTRATION

21 MEDICAL SERVICES FOR PRIORITY 1–6 VETERANS

22 For necessary expenses for furnishing, as authorized
 23 by law, inpatient and outpatient care and treatment to
 24 beneficiaries of the Department of Veterans Affairs other
 25 than veterans described in paragraphs (7) and (8) of sec-
 26 tion 1705(a) of title 38, United States Code, including

1 care and treatment in facilities not under the jurisdiction
2 of the department and including medical supplies and
3 equipment and salaries and expenses of health-care em-
4 ployees hired under title 38, United States Code, and aid
5 to State homes as authorized by section 1741 of title 38,
6 United States Code; \$15,779,220,000, plus reimburse-
7 ments: *Provided*, That of the funds made available under
8 this heading, not less than \$200,000,000 is for the equip-
9 ment object classification, which amount shall not become
10 available for obligation until August 1, 2004, and shall
11 remain available until September 30, 2005: *Provided fur-*
12 *ther*, That of the funds made available under this heading,
13 not to exceed \$700,000,000 shall be available until Sep-
14 tember 30, 2005.

15 MEDICAL SERVICES FOR PRIORITY 7–8 VETERANS

16 (INCLUDING TRANSFER OF FUNDS)

17 For necessary expenses for furnishing, as authorized
18 by law, inpatient and outpatient care and treatment to
19 beneficiaries of the Department of Veterans Affairs who
20 are veterans described in paragraphs (7) and (8) of section
21 1705(a) of title 38, United States Code, including care
22 and treatment in facilities not under the jurisdiction of
23 the Department and including medical supplies and equip-
24 ment and salaries and expenses of health-care employees
25 hired under title 38, United States Code, and aid to State
26 homes as authorized by section 1741 of title 38, United

1 States Code; \$2,164,000,000, plus reimbursements: *Pro-*
2 *vided*, That of the amounts provided under this heading,
3 \$1,500,000,000 shall be derived from amounts deposited
4 during the current fiscal year in the Department of Vet-
5 erans Affairs Medical Care Collections Fund under section
6 1729A of title 38, United States Code, and transferred
7 to this account, to remain available until expended.

8 MEDICAL AND PROSTHETIC RESEARCH

9 For necessary expenses in carrying out programs of
10 medical and prosthetic research and development as au-
11 thorized by chapter 73 of title 38, United States Code,
12 to remain available until September 30, 2005,
13 \$408,000,000, plus reimbursements.

14 MEDICAL ADMINISTRATION

15 (INCLUDING TRANSFER OF FUNDS)

16 For necessary expenses in the administration of the
17 medical, hospital, nursing home, domiciliary, construction,
18 supply, and research activities, as authorized by law; ad-
19 ministrative expenses in support of capital policy activi-
20 ties; information technology hardware and software; uni-
21 forms or allowances therefor, as authorized by sections
22 5901–5902 of title 5, United States Code; and administra-
23 tive and legal expenses of the department for collecting
24 and recovering amounts owed the department as author-
25 ized under chapter 17 of title 38, United States Code, and
26 the Federal Medical Care Recovery Act (42 U.S.C. 2651

1 et seq.); \$4,854,000,000, of which \$300,000,000 shall be
2 available until September 30, 2005, plus reimbursements:
3 *Provided*, That funds available under this heading may be
4 transferred to “Medical Services for Priority 1–6 Vet-
5 erans” or to “Medical Services for Priority 7–8 Veterans”
6 after notice of the amount and purpose of the transfer
7 is provided to the Committees on Appropriations of the
8 Senate and House of Representatives and a period of 30
9 days has elapsed.

10 MEDICAL FACILITIES

11 (INCLUDING TRANSFER OF FUNDS)

12 For necessary expenses for the maintenance and op-
13 eration of hospitals, nursing homes, and domiciliary facili-
14 ties and other necessary facilities for the Veterans Health
15 Administration; for administrative expenses in support of
16 planning, design, project management, real property ac-
17 quisition and disposition, construction and renovation of
18 any facility under the jurisdiction or for the use of the
19 department; for oversight, engineering and architectural
20 activities not charged to project costs; for repairing, alter-
21 ing, improving or providing facilities in the several hos-
22 pitals and homes under the jurisdiction of the department,
23 not otherwise provided for, either by contract or by the
24 hire of temporary employees and purchase of materials;
25 for leases of facilities; and for laundry and food services,
26 \$4,000,000,000: *Provided*, That of the funds made avail-

1 able under this heading, not less than \$80,000,000 is for
 2 the land and structures object classification, which amount
 3 shall not become available for obligation until August 1,
 4 2004, and shall remain available until September 30,
 5 2005: *Provided further*, That funds available under this
 6 heading may be transferred to “Medical Services for Pri-
 7 ority 1–6 Veterans” or to “Medical Services for Priority
 8 7–8 Veterans” after notice of the amount and purpose of
 9 the transfer is provided to the Committees on Appropria-
 10 tions of the Senate and House of Representatives and a
 11 period of 30 days has elapsed.

12 DEPARTMENTAL ADMINISTRATION

13 GENERAL OPERATING EXPENSES

14 For necessary operating expenses of the Department
 15 of Veterans Affairs, not otherwise provided for, including
 16 administrative expenses in support of department-wide
 17 capital planning, management and policy activities, uni-
 18 forms or allowances therefor; not to exceed \$25,000 for
 19 official reception and representation expenses; hire of pas-
 20 senger motor vehicles; and reimbursement of the General
 21 Services Administration for security guard services, and
 22 the Department of Defense for the cost of overseas em-
 23 ployee mail, \$1,283,272,000: *Provided*, That expenses for
 24 services and assistance authorized under 38 U.S.C.
 25 3104(a)(1), (2), (5), and (11) that the Secretary deter-

1 mines are necessary to enable entitled veterans: (1) to the
2 maximum extent feasible, to become employable and to ob-
3 tain and maintain suitable employment; or (2) to achieve
4 maximum independence in daily living, shall be charged
5 to this account: *Provided further*, That the Veterans Bene-
6 fits Administration shall be funded at not less than
7 \$1,005,000,000: *Provided further*, That of the funds made
8 available under this heading, not to exceed \$66,000,000
9 shall be available for obligation until September 30, 2005:
10 *Provided further*, That from the funds made available
11 under this heading, the Veterans Benefits Administration
12 may purchase up to two passenger motor vehicles for use
13 in operations of that Administration in Manila, Phil-
14 ippines: *Provided further*, That travel expenses for this ac-
15 count shall not exceed \$17,082,000.

16 NATIONAL CEMETERY ADMINISTRATION

17 For necessary expenses of the National Cemetery Ad-
18 ministration for operations and maintenance, not other-
19 wise provided for, including uniforms or allowances there-
20 for; cemeterial expenses as authorized by law; purchase
21 of one passenger motor vehicle for use in cemeterial oper-
22 ations; and hire of passenger motor vehicles,
23 \$144,223,000, to remain available until September 30,
24 2005.

1 OFFICE OF INSPECTOR GENERAL

2 For necessary expenses of the Office of Inspector
3 General in carrying out the provisions of the Inspector
4 General Act of 1978, as amended, \$61,750,000, to remain
5 available until September 30, 2005.

6 CONSTRUCTION, MAJOR PROJECTS

7 For constructing, altering, extending and improving
8 any of the facilities under the jurisdiction or for the use
9 of the Department of Veterans Affairs, or for any of the
10 purposes set forth in sections 316, 2404, 2406, 8102,
11 8103, 8106, 8108, 8109, 8110, and 8122 of title 38,
12 United States Code, including planning, architectural and
13 engineering services, maintenance or guarantee period
14 services costs associated with equipment guarantees pro-
15 vided under the project, services of claims analysts, offsite
16 utility and storm drainage system construction costs, and
17 site acquisition, where the estimated cost of a project is
18 \$4,000,000 or more or where funds for a project were
19 made available in a previous major project appropriation,
20 \$274,690,000, to remain available until expended, of
21 which \$173,000,000 shall be for Capital Asset Realign-
22 ment for Enhanced Services (CARES) activities; and of
23 which \$10,000,000 shall be to make reimbursements as
24 provided in 41 U.S.C. 612 for claims paid for contract
25 disputes: *Provided*, That except for advance planning ac-
26 tivities, including needs assessments which may or may

1 not lead to capital investments, and other capital asset
2 management related activities, such as portfolio develop-
3 ment and management activities, and investment strategy
4 studies funded through the advance planning fund and the
5 planning and design activities funded through the design
6 fund and CARES funds, including needs assessments
7 which may or may not lead to capital investments, none
8 of the funds appropriated under this heading shall be used
9 for any project which has not been approved by the Con-
10 gress in the budgetary process: *Provided further*, That
11 funds provided in this appropriation for fiscal year 2004,
12 for each approved project (except those for CARES activi-
13 ties referenced above) shall be obligated: (1) by the award-
14 ing of a construction documents contract by September
15 30, 2004; and (2) by the awarding of a construction con-
16 tract by September 30, 2004: *Provided further*, That the
17 Secretary of Veterans Affairs shall promptly report in
18 writing to the Committees on Appropriations any ap-
19 proved major construction project in which obligations are
20 not incurred within the time limitations established above:
21 *Provided further*, That no funds from any other account
22 except the “Parking revolving fund”, may be obligated for
23 constructing, altering, extending, or improving a project
24 which was approved in the budget process and funded in
25 this account until one year after substantial completion

1 and beneficial occupancy by the Department of Veterans
2 Affairs of the project or any part thereof with respect to
3 that part only.

4 CONSTRUCTION, MINOR PROJECTS

5 For constructing, altering, extending, and improving
6 any of the facilities under the jurisdiction or for the use
7 of the Department of Veterans Affairs, including planning
8 and assessments of needs which may lead to capital invest-
9 ments, architectural and engineering services, mainte-
10 nance or guarantee period services costs associated with
11 equipment guarantees provided under the project, services
12 of claims analysts, offsite utility and storm drainage sys-
13 tem construction costs, and site acquisition, or for any of
14 the purposes set forth in sections 316, 2404, 2406, 8102,
15 8103, 8106, 8108, 8109, 8110, 8122, and 8162 of title
16 38, United States Code, where the estimated cost of a
17 project is less than \$4,000,000, \$252,144,000, to remain
18 available until expended, along with unobligated balances
19 of previous “Construction, minor projects” appropriations
20 which are hereby made available for any project where the
21 estimated cost is less than \$4,000,000, of which
22 \$35,000,000 shall be for Capital Asset Realignment for
23 Enhanced Services (CARES) activities: *Provided*, That
24 from amounts appropriated under this heading, additional
25 amounts may be used for CARES activities upon notifica-
26 tion of and approval by the Committees on Appropria-

1 tions: *Provided further*, That funds in this account shall
 2 be available for: (1) repairs to any of the nonmedical facili-
 3 ties under the jurisdiction or for the use of the Depart-
 4 ment which are necessary because of loss or damage
 5 caused by any natural disaster or catastrophe; and (2)
 6 temporary measures necessary to prevent or to minimize
 7 further loss by such causes.

8 PARKING REVOLVING FUND

9 For the parking revolving fund as authorized by 38
 10 U.S.C. 8109, income from fees collected, to remain avail-
 11 able until expended, which shall be available for all author-
 12 ized expenses except operations and maintenance costs,
 13 which will be funded from “Medical facilities”.

14 GRANTS FOR CONSTRUCTION OF STATE EXTENDED CARE 15 FACILITIES

16 For grants to assist States to acquire or construct
 17 State nursing home and domiciliary facilities and to re-
 18 model, modify or alter existing hospital, nursing home and
 19 domiciliary facilities in State homes, for furnishing care
 20 to veterans as authorized by 38 U.S.C. 8131–8137,
 21 \$102,100,000, to remain available until expended.

22 GRANTS FOR THE CONSTRUCTION OF STATE VETERANS 23 CEMETERIES

24 For grants to aid States in establishing, expanding,
 25 or improving State veterans cemeteries as authorized by

1 38 U.S.C. 2408, \$32,000,000, to remain available until
2 expended.

3 ADMINISTRATIVE PROVISIONS

4 (INCLUDING TRANSFER OF FUNDS)

5 SEC. 101. Any appropriation for fiscal year 2004 for
6 “Compensation, pension and burial benefits”, “Readjust-
7 ment benefits”, and “Veterans insurance and indemnities”
8 may be transferred to any other of the mentioned appro-
9 priations.

10 SEC. 102. Appropriations available to the Depart-
11 ment of Veterans Affairs for fiscal year 2004 for salaries
12 and expenses shall be available for services authorized by
13 5 U.S.C. 3109 hire of passenger motor vehicles; lease of
14 a facility or land or both; and uniforms or allowances
15 therefore, as authorized by 5 U.S.C. 5901–5902.

16 SEC. 103. No appropriations in this Act for the De-
17 partment of Veterans Affairs (except the appropriations
18 for “Construction, major projects”, “Construction, minor
19 projects”, and the “Parking revolving fund”) shall be
20 available for the purchase of any site for or toward the
21 construction of any new hospital or home.

22 SEC. 104. No appropriations in this Act for the De-
23 partment of Veterans Affairs shall be available for hos-
24 pitalization or examination of any persons (except bene-
25 ficiaries entitled under the laws bestowing such benefits

1 to veterans, and persons receiving such treatment under
2 5 U.S.C. 7901–7904 or 42 U.S.C. 5141–5204), unless re-
3 imbursement of cost is made to the Medical care collec-
4 tions fund account at such rates as may be fixed by the
5 Secretary of Veterans Affairs.

6 SEC. 105. Appropriations available to the Depart-
7 ment of Veterans Affairs for fiscal year 2004 for “Com-
8 pensation, pension and burial benefits”, “Readjustment
9 benefits”, and “Veterans insurance and indemnities” shall
10 be available for payment of prior year accrued obligations
11 required to be recorded by law against the corresponding
12 prior year accounts within the last quarter of fiscal year
13 2003.

14 SEC. 106. Appropriations accounts available to the
15 Department of Veterans Affairs for fiscal year 2004 shall
16 be available to pay prior year obligations of corresponding
17 prior year appropriations accounts resulting from title X
18 of the Competitive Equality Banking Act, Public Law
19 100–86, except that if such obligations are from trust
20 fund accounts they shall be payable from “Compensation,
21 pension and burial benefits”.

22 SEC. 107. Notwithstanding any other provision of
23 law, during fiscal year 2004, the Secretary of Veterans
24 Affairs shall, from the National Service Life Insurance
25 Fund (38 U.S.C. 1920), the Veterans’ Special Life Insur-

1 ance Fund (38 U.S.C. 1923), and the United States Gov-
2 ernment Life Insurance Fund (38 U.S.C. 1955), reim-
3 burse the “General operating expenses” account for the
4 cost of administration of the insurance programs financed
5 through those accounts: *Provided*, That reimbursement
6 shall be made only from the surplus earnings accumulated
7 in an insurance program in fiscal year 2004 that are avail-
8 able for dividends in that program after claims have been
9 paid and actuarially determined reserves have been set
10 aside: *Provided further*, That if the cost of administration
11 of an insurance program exceeds the amount of surplus
12 earnings accumulated in that program, reimbursement
13 shall be made only to the extent of such surplus earnings:
14 *Provided further*, That the Secretary shall determine the
15 cost of administration for fiscal year 2004 which is prop-
16 erly allocable to the provision of each insurance program
17 and to the provision of any total disability income insur-
18 ance included in such insurance program.

19 SEC. 108. Notwithstanding any other provision of
20 law, the Department of Veterans Affairs shall continue the
21 Franchise Fund pilot program authorized to be estab-
22 lished by section 403 of Public Law 103–356 until Octo-
23 ber 1, 2004: *Provided*, That the Franchise Fund, estab-
24 lished by title I of Public Law 104–204 to finance the

1 operations of the Franchise Fund pilot program, shall con-
2 tinue until October 1, 2004.

3 SEC. 109. Amounts deducted from enhanced-use
4 lease proceeds to reimburse an account for expenses in-
5 curred by that account during a prior fiscal year for pro-
6 viding enhanced-use lease services, may be obligated dur-
7 ing the fiscal year in which the proceeds are received.

8 SEC. 110. Funds available in any Department of Vet-
9 erans Affairs appropriation for fiscal year 2004 or funds
10 for salaries and other administrative expenses shall also
11 be available to reimburse the Office of Resolution Manage-
12 ment and the Office of Employment Discrimination Com-
13 plaint Adjudication for all services provided at rates which
14 will recover actual costs but not exceed \$29,318,000 for
15 the Office of Resolution Management and \$3,010,000 for
16 the Office of Employment and Discrimination Complaint
17 Adjudication: *Provided*, That payments may be made in
18 advance for services to be furnished based on estimated
19 costs: *Provided further*, That amounts received shall be
20 credited to “General operating expenses” for use by the
21 office that provided the service.

22 SEC. 111. No appropriations in this Act for the De-
23 partment of Veterans Affairs shall be available to enter
24 into any new lease of real property if the estimated annual
25 rental is more than \$300,000 unless the Secretary submits

1 a report which the Committees on Appropriations of the
2 Congress approve within 30 days following the date on
3 which the report is received.

4 SEC. 112. No appropriations in this Act for the De-
5 partment of Veterans Affairs shall be available for hos-
6 pitalization or treatment of any person by reason of eligi-
7 bility under section 1710(a)(3) of title 38, United States
8 Code, unless that person has disclosed to the Secretary
9 of Veterans Affairs, in such form as the Secretary may
10 require—

11 (1) current, accurate third-party reimbursement
12 information for purposes of section 1729 of such
13 title; and

14 (2) annual income information for purposes of
15 section 1722 of such title.

16 SEC. 113. Of the amounts provided in this Act,
17 \$25,000,000 shall be for information technology initiatives
18 to support the enterprise architecture of the Department
19 of Veterans Affairs.

20 SEC. 114. Notwithstanding any other provision of
21 law, the Secretary of Veterans Affairs may establish a pri-
22 ority for treatment for veterans who have service-con-
23 nected disability, who are lower-income veterans, or who
24 have special needs.

1 SEC. 115. (a) The Secretary of Veterans Affairs shall
2 conduct by contract a program of recovery audits for the
3 fee basis and other medical services contracts with respect
4 to payments for hospital care. Notwithstanding section
5 3302(b) of title 31, United States Code, amounts col-
6 lected, by setoff or otherwise, as the result of such audits
7 shall be available, without fiscal year limitation, for the
8 purposes for which funds are appropriated under “Medical
9 services for priority 7–8 veterans” and the purposes of
10 paying a contractor a percent of the amount collected as
11 a result of an audit carried out by the contractor.

12 (b) All amounts so collected under subsection (a) with
13 respect to a designated health care region (as that term
14 is defined in section 1729A(d)(2) of title 38, United States
15 Code) shall be allocated, net of payments to the con-
16 tractor, to that region.

17 SEC. 116. Amounts made available for Medical Serv-
18 ices are available—

19 (1) for furnishing veterans provided Medical
20 Services with recreational facilities, supplies, and
21 equipment; and

22 (2) for funeral expenses, burial expenses, and
23 other expenses incidental to funerals and burials for
24 beneficiaries receiving care in the department.

1 SEC. 117. Balances in excess of \$1,500,000,000 in
2 the Medical Care Collections Fund as of August 1, 2004
3 shall be transferred to “Medical services for priority 7–
4 8 veterans” for the purposes under that heading to be
5 available until expended.

6 SEC. 118. Amounts made available for fiscal year
7 2004 under the “Medical services for priority 1–6 vet-
8 erans” and “Medical services for priority 7–8 veterans”
9 accounts may be transferred between either account to the
10 extent necessary to implement the restructuring of the
11 Veterans Health Administration accounts after notice of
12 the amount and purpose of the transfer is provided to the
13 Committees on Appropriations of the Senate and House
14 of Representatives and a period of 30 days has elapsed:
15 *Provided*, That the limitation on transfers is ten percent
16 in fiscal year 2004.

17 SEC. 119. The Department of Veterans Affairs med-
18 ical center in Houston, Texas, shall after the date of the
19 enactment of this Act be known as designated as the “Mi-
20 chael E. DeBakey Department of Veterans Affairs Med-
21 ical Center”. Any reference in any law, regulation, map,
22 document, record, or other paper of the United States to
23 such medical center shall be considered to be a reference
24 to the Michael E. DeBakey Department of Veterans Af-
25 fairs Medical Center.

16 (INCLUDING TRANSFER AND RESCISSION OF FUNDS)

For activities and assistance under the United States Housing Act of 1937, as amended (42 U.S.C. 1437 et seq.) (“the Act” herein), not otherwise provided for, \$18,430,606,000 (increased by \$150,000,000), and amounts that are recaptured in this account, to remain available until expended: *Provided*, That of the amounts made available under this heading, \$14,230,606,000 (increased by \$150,000,000) and the aforementioned recaptures shall be available on October 1, 2003 and \$4,200,000,000 shall be available on October 1, 2004:

1 *Provided further*, That amounts made available under this
2 heading are provided as follows:

3 (1) \$16,295,578,000 (increased by
4 \$150,000,000) for expiring or terminating section 8
5 project-based subsidy contracts (including section 8
6 moderate rehabilitation contracts), for amendments
7 to section 8 project-based subsidy contracts, for con-
8 tracts entered into pursuant to section 441 of the
9 McKinney-Vento Homeless Assistance Act, for the
10 renewal of section 8 contracts for units in projects
11 that are subject to approved plans of action under
12 the Emergency Low Income Housing Preservation
13 Act of 1987 or the Low-Income Housing Preserva-
14 tion and Resident Homeownership Act of 1990, and
15 for renewals of expiring section 8 tenant-based an-
16 nual contributions contracts (including amendments
17 and renewals of enhanced vouchers under any provi-
18 sion of law authorizing such assistance under section
19 8(t) of the Act (42 U.S.C. 1437f(t))): *Provided*,
20 That notwithstanding any other provision of law, the
21 Secretary shall renew expiring section 8 tenant-
22 based annual contributions contracts for each public
23 housing agency, (including for agencies participating
24 in the Moving to Work demonstration, unit months
25 representing section 8 tenant-based assistance funds

1 committed by the public housing agency for specific
2 purposes, other than reserves, that are authorized
3 pursuant to any agreement and conditions entered
4 into under such demonstration, and utilized in com-
5 pliance with any applicable program obligation dead-
6 lines) based on the total number of unit months
7 which were under lease as reported on the most re-
8 cent end-of-year financial statement submitted by
9 the public housing agency to the Department, ad-
10 justed by such additional information submitted by
11 the public housing agency to the Secretary which the
12 Secretary determines to be timely and reliable re-
13 garding the total number of unit months under lease
14 at the time of renewal of the annual contributions
15 contract, and by applying an inflation factor based
16 on local or regional factors to the actual per unit
17 cost as reported on such statement: *Provided further,*
18 That none of the funds made available in this para-
19 graph may be used to support a total number of unit
20 months under lease which exceeds a public housing
21 agency's authorized level of units under contract;

22 (2) \$568,503,000 for a central fund to be allo-
23 cated by the Secretary for amendments to section 8
24 tenant-based annual contributions contracts for such
25 purposes set forth in this paragraph: *Provided, That*

1 subject to the following proviso, the Secretary may
2 use amounts made available in such fund, as nec-
3 essary, for contract amendments resulting from a
4 significant increase in the per unit cost of vouchers
5 or an increase in the total number of unit months
6 under lease as compared to the per unit cost or the
7 total number of unit months provided for by the an-
8 nual contributions contract: *Provided further*, That if
9 a public housing agency, at any point in time during
10 their fiscal year, has obligated the amounts made
11 available to such agency pursuant to paragraph (1)
12 under this heading for the renewal of expiring sec-
13 tion 8 tenant-based annual contributions contracts,
14 and if such agency has expended fifty percent of the
15 amounts available to such agency in its annual con-
16 tributions contract reserve account, the Secretary
17 shall make available such amounts as are necessary
18 from amounts available from such central fund to
19 fund amendments under the preceding proviso with-
20 in thirty days of a request from such agency: *Pro-*
21 *vided further*, That none of the funds made available
22 in this paragraph may be used to support a total
23 number of unit months under lease which exceeds a
24 public housing agency's authorized level of units
25 under contract: *Provided further*, That the Secretary

1 shall provide quarterly reports to the Committees on
2 Appropriations of the House and the Senate on the
3 obligation of funds provided in this paragraph in ac-
4 cordance with the directions specified in the report
5 accompanying this Act;

6 (3) \$206,495,100 for section 8 rental assistance
7 for relocation and replacement of housing units that
8 are demolished or disposed of pursuant to the Omni-
9 bus Consolidated Rescissions and Appropriations Act
10 of 1996 (Public Law 104–134), conversion of section
11 23 projects to assistance under section 8, the family
12 unification program under section 8(x) of the Act,
13 relocation of witnesses in connection with efforts to
14 combat crime in public and assisted housing pursu-
15 ant to a request from a law enforcement or prosecu-
16 tion agency, enhanced vouchers under any provision
17 of law authorizing such assistance under section 8(t)
18 of the Act (42 U.S.C.1437f(t)), and tenant protec-
19 tion assistance, including replacement and relocation
20 assistance;

21 (4) \$48,000,000 for family self-sufficiency coor-
22 dinators under section 23 of the Act;

23 (5) not to exceed \$1,209,020,000 for adminis-
24 trative and other expenses of public housing agencies
25 in administering the section 8 tenant-based rental

1 assistance program: *Provided*, That, notwithstanding
2 any other provision of law or regulation, the Sec-
3 retary shall allocate funds provided in this para-
4 graph among public housing agencies in a manner
5 prescribed by the Secretary: *Provided further*, That
6 none of the funds provided in this Act or any other
7 Act may be used to supplement the amounts pro-
8 vided in this paragraph: *Provided further*, That,
9 hereafter, the Secretary shall recapture any funds
10 provided under this heading in this Act or any other
11 Act for administrative fees and other expenses from
12 a public housing agency which are in excess of the
13 amounts expended by such agency for the section 8
14 tenant-based rental assistance program and not oth-
15 erwise needed to maintain an administrative fee re-
16 serve account balance of not to exceed five percent:
17 *Provided further*, That all such administrative fee
18 amounts provided under this paragraph shall be only
19 for activities directly related to the provision of rent-
20 al assistance under section 8;

21 (6) \$100,000,000 for contract administrators
22 for section 8 project-based assistance; and

23 (7) not less than \$3,010,000 shall be trans-
24 ferred to the Working Capital Fund for the develop-
25 ment of and modifications to information technology

1 systems which serve programs or activities under
2 “Public and Indian Housing”: *Provided*, That the
3 Secretary may transfer up to 15 percent of funds
4 provided under paragraphs (1), (2) or (5), herein to
5 paragraphs (1) or (2), if the Secretary determines
6 that such action is necessary because the funding
7 provided under one such paragraph otherwise would
8 be depleted and as a result, the maximum utilization
9 of section 8 tenant-based assistance with the funds
10 appropriated for this purpose by this Act would not
11 be feasible: *Provided further*, That prior to under-
12 taking the transfer of funds in excess of 10 percent
13 from any paragraph pursuant to the previous pro-
14 viso, the Secretary shall notify the Chairman and
15 Ranking Member of the Subcommittees on Veterans
16 Affairs and Housing and Urban Development, and
17 Independent Agencies of the Committees on Appro-
18 priations of the House of Representatives and the
19 Senate and shall not transfer any such funds until
20 30 days after such notification: *Provided further*,
21 That incremental vouchers previously made available
22 under this heading for non-elderly disabled families
23 shall, to the extent practicable, continue to be pro-
24 vided to non-elderly disabled families upon turnover:
25 *Provided further*, That \$1,372,000,000 is rescinded

1 from unobligated balances remaining from funds ap-
 2 propriated to the Department of Housing and Urban
 3 Development under this heading or the heading
 4 “Annual contributions for assisted housing” or any
 5 other heading for fiscal year 2003 and prior years,
 6 to be effected by the Secretary no later than Sep-
 7 tember 30, 2004: *Provided further*, That any such
 8 balances governed by reallocation provisions under
 9 the statute authorizing the program for which the
 10 funds were originally appropriated shall be available
 11 for the rescission: *Provided further*, That any obli-
 12 gated balances of contract authority from fiscal year
 13 1974 and prior that have been terminated shall be
 14 cancelled.

15 PUBLIC HOUSING CAPITAL FUND

16 (INCLUDING TRANSFER OF FUNDS)

17 For the Public Housing Capital Fund Program to
 18 carry out capital and management activities for public
 19 housing agencies, as authorized under section 9 of the
 20 United States Housing Act of 1937, as amended (42
 21 U.S.C. 1437g) (the “Act”) \$2,712,255,000, to remain
 22 available until September 30, 2007: *Provided*, That of the
 23 total amount provided under this heading, in addition to
 24 amounts otherwise allocated under this heading,
 25 \$429,000,000 shall be allocated for such capital and man-
 26 agement activities only among public housing agencies

1 that have obligated all assistance for the agency for fiscal
2 years 2001 and 2002 made available under this same
3 heading in accordance with the requirements under para-
4 graphs (1) and (2) of section 9(j) of such Act: *Provided*
5 *further*, That notwithstanding any other provision of law
6 or regulation, during fiscal year 2004, the Secretary may
7 not delegate to any Department official other than the
8 Deputy Secretary any authority under paragraph (2) of
9 such section 9(j) regarding the extension of the time peri-
10 ods under such section for obligation of amounts made
11 available for fiscal year 1998, 1999, 2000, 2001, 2002,
12 2003, or 2004: *Provided further*, That with respect to any
13 amounts made available under the Public Housing Capital
14 Fund for fiscal year 1999, 2000, 2001, 2002, 2003, or
15 2004 that remain unobligated in violation of paragraph
16 (1) of such section 9(j) or unexpended in violation of para-
17 graph (5)(A) of such section 9(j), the Secretary shall re-
18 capture any such amounts and reallocate such amounts
19 among public housing agencies determined under section
20 6(j) of the Act to be high-performing: *Provided further*,
21 That for purposes of this heading, the term “obligate”
22 means, with respect to amounts, that the amounts are
23 subject to a binding agreement that will result in outlays,
24 immediately or in the future: *Provided further*, That if the
25 Secretary issues a regulation for effect implementing sec-

tion 9(j) of the United States Housing Act of 1937 (42 U.S.C. 1437g(j)), the first and third provisos under this heading shall cease to be effective: *Provided further*, That of the total amount provided under this heading, up to \$51,000,000 shall be for carrying out activities under section 9(h) of such Act, of which \$13,000,000 shall be for the provision of remediation services to public housing agencies identified as “troubled” under the Section 8 Management Assessment Program and for surveys used to calculate local Fair Market Rents and assess housing conditions in connection with rental assistance under section 8 of the Act: *Provided further*, That of the total amount provided under this heading, up to \$500,000 shall be for lease adjustments to section 23 projects, and no less than \$10,610,000 shall be transferred to the Working Capital Fund for the development of and modifications to information technology systems which serve programs or activities under “Public and Indian housing”: *Provided further*, That no funds may be used under this heading for the purposes specified in section 9(k) of the United States Housing Act of 1937, as amended: *Provided further*, That of the total amount provided under this heading, up to \$40,000,000 shall be available for the Secretary of Housing and Urban Development to make grants to public housing agencies for emergency capital needs re-

1 sulting from emergencies and natural disasters in fiscal
 2 year 2004: *Provided further*, That of the total amount pro-
 3 vided under this heading, \$55,000,000 shall be for sup-
 4 portive services, service coordinators and congregate serv-
 5 ices as authorized by section 34 of the Act and the Native
 6 American Housing Assistance and Self-Determination Act
 7 of 1996.

8 The first proviso under this heading in the Depart-
 9 ments of Veterans Affairs and Housing and Urban Devel-
 10 opment, and Independent Agencies Appropriations Act,
 11 2003, is amended by striking “1998, 1999”.

12 PUBLIC HOUSING OPERATING FUND

13 For 2004 payments to public housing agencies for the
 14 operation and management of public housing, as author-
 15 ized by section 9(e) of the United States Housing Act of
 16 1937, as amended (42 U.S.C. 1437g(e)), \$3,600,000,000:
 17 *Provided*, That of the total amount provided under this
 18 heading, \$10,000,000 shall be for programs, as deter-
 19 mined appropriate by the Attorney General, which assist
 20 in the investigation, prosecution, and prevention of violent
 21 crimes and drug offenses in public and federally-assisted
 22 low-income housing, including Indian housing, which shall
 23 be administered by the Department of Justice through a
 24 reimbursable agreement with the Department of Housing
 25 and Urban Development: *Provided further*, That no funds
 26 may be used under this heading for the purposes specified

1 in section 9(k) of the United States Housing Act of 1937,
2 as amended: *Provided further*, That in 2004 and hereafter,
3 no amounts provided under this heading may be used for
4 payments to public housing agencies for the costs of oper-
5 ation and management of public housing in any year prior
6 to the current year.

7 REVITALIZATION OF SEVERELY DISTRESSED PUBLIC
8 HOUSING (HOPE VI)

9 For grants to public housing agencies for demolition,
10 site revitalization, replacement housing, and tenant-based
11 assistance grants to projects as authorized by section 24
12 of the United States Housing Act of 1937, as amended,
13 \$50,000,000, to remain available until September 30,
14 2005, of which the Secretary may use up to \$500,000 (in-
15 creased by \$4,500,000) for technical assistance and con-
16 tract expertise, to be provided directly or indirectly by
17 grants, contracts or cooperative agreements, including
18 training and cost of necessary travel for participants in
19 such training, by or to officials and employees of the de-
20 partment and of public housing agencies and to residents:
21 *Provided*, That none of such funds shall be used directly
22 or indirectly by granting competitive advantage in awards
23 to settle litigation or pay judgments, unless expressly per-
24 mitted herein.

1 NATIVE AMERICAN HOUSING BLOCK GRANTS
2 (INCLUDING TRANSFERS OF FUNDS)

3 For the Native American Housing Block Grants pro-
4 gram, as authorized under title I of the Native American
5 Housing Assistance and Self-Determination Act of 1996
6 (NAHASDA) (25 U.S.C. 4111 et seq.), \$661,600,000, to
7 remain available until expended, of which \$2,200,000 shall
8 be contracted through the Secretary as technical assist-
9 ance and capacity building to be used by the National
10 American Indian Housing Council in support of the imple-
11 mentation of NAHASDA; of which \$5,000,000 shall be
12 to support the inspection of Indian housing units, contract
13 expertise, training, and technical assistance in the train-
14 ing, oversight, and management of Indian housing and
15 tenant-based assistance, including up to \$300,000 for re-
16 lated travel; and of which no less than \$2,720,000 shall
17 be transferred to the Working Capital Fund for develop-
18 ment of and modifications to information technology sys-
19 tems which serve programs or activities under “Public and
20 Indian housing”: *Provided*, That of the amount provided
21 under this heading, \$1,000,000 shall be made available
22 for the cost of guaranteed notes and other obligations, as
23 authorized by title VI of NAHASDA: *Provided further*,
24 That such costs, including the costs of modifying such
25 notes and other obligations, shall be as defined in section
26 502 of the Congressional Budget Act of 1974, as amend-

1 ed: *Provided further*, That these funds are available to sub-
 2 sidize the total principal amount of any notes and other
 3 obligations, any part of which is to be guaranteed, not to
 4 exceed \$8,049,000: *Provided further*, That for administra-
 5 tive expenses to carry out the guaranteed loan program,
 6 up to \$150,000 from amounts in the first proviso, which
 7 shall be transferred to and merged with the appropriation
 8 for “Salaries and expenses”, to be used only for the ad-
 9 ministrative costs of these guarantees.

10 INDIAN HOUSING LOAN GUARANTEE FUND PROGRAM

11 ACCOUNT

12 (INCLUDING TRANSFER OF FUNDS)

13 For the cost of guaranteed loans, as authorized by
 14 section 184 of the Housing and Community Development
 15 Act of 1992 (12 U.S.C. 1715z–13a), \$5,300,000, to re-
 16 main available until expended: *Provided*, That such costs,
 17 including the costs of modifying such loans, shall be as
 18 defined in section 502 of the Congressional Budget Act
 19 of 1974, as amended: *Provided further*, That these funds
 20 are available to subsidize total loan principal, any part of
 21 which is to be guaranteed, not to exceed \$197,243,000.

22 In addition, for administrative expenses to carry out
 23 the guaranteed loan program, up to \$250,000 from
 24 amounts in the first paragraph, which shall be transferred
 25 to and merged with the appropriation for “Salaries and

1 expenses”, to be used only for the administrative costs of
 2 these guarantees.

3 NATIVE HAWAIIAN HOUSING LOAN GUARANTEE FUND

4 PROGRAM ACCOUNT

5 (INCLUDING TRANSFER OF FUNDS)

6 For the cost of guaranteed loans, as authorized by
 7 section 184A of the Housing and Community Develop-
 8 ment Act of 1992 (12 U.S.C. 1715z–13b), \$1,000,000, to
 9 remain available until expended: *Provided*, That such
 10 costs, including the costs of modifying such loans, shall
 11 be as defined in section 502 of the Congressional Budget
 12 Act of 1974, as amended: *Provided further*, That these
 13 funds are available to subsidize total loan principal, any
 14 part of which is to be guaranteed, not to exceed
 15 \$35,347,985.

16 In addition, for administrative expenses to carry out
 17 the guaranteed loan program, up to \$35,000 from
 18 amounts in the first paragraph, which shall be transferred
 19 to and merged with the appropriation for “Salaries and
 20 expenses”, to be used only for the administrative costs of
 21 these guarantees.

22 COMMUNITY PLANNING AND DEVELOPMENT

23 HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS

24 For carrying out the Housing Opportunities for Per-
 25 sons with AIDS program, as authorized by the AIDS
 26 Housing Opportunity Act (42 U.S.C. 12901 et seq.),

1 \$297,000,000 (increased by \$5,000,000), to remain avail-
 2 able until September 30, 2005: *Provided*, That the Sec-
 3 retary shall renew all expiring contracts for permanent
 4 supportive housing that were funded under section
 5 854(c)(3) of such Act that meet all program requirements
 6 before awarding funds for new contracts and activities au-
 7 thorized under this section: *Provided further*, That the
 8 Secretary may use up to \$2,000,000 of the funds under
 9 this heading for training, oversight, and technical assist-
 10 ance activities.

11 RURAL HOUSING AND ECONOMIC DEVELOPMENT

12 For the Office of Rural Housing and Economic De-
 13 velopment in the Department of Housing and Urban De-
 14 velopment, \$25,000,000 to remain available until ex-
 15 pended, which amount shall be competitively awarded by
 16 June 1, 2004, to Indian tribes, State housing finance
 17 agencies, State community and/or economic development
 18 agencies, local rural nonprofits and community develop-
 19 ment corporations to support innovative housing and eco-
 20 nomic development activities in rural areas.

21 EMPOWERMENT ZONES/ENTERPRISE COMMUNITIES

22 For grants in connection with a second round of em-
 23 powerment zones and enterprise communities,
 24 \$15,000,000, to remain available until September 30,
 25 2005, for “Urban Empowerment Zones”, as authorized in
 26 section 1391(g) of the Internal Revenue Code of 1986 (26

1 U.S.C. 1391(g)), including \$1,000,000 for each empower-
 2 ment zone for use in conjunction with economic develop-
 3 ment activities consistent with the strategic plan of each
 4 empowerment zone.

5 COMMUNITY DEVELOPMENT FUND

6 (INCLUDING TRANSFERS OF FUNDS)

7 For assistance to units of State and local govern-
 8 ment, and to other entities, for economic and community
 9 development activities, and for other purposes,
 10 \$4,959,000,000, to remain available until September 30,
 11 2006: *Provided*, That of the amount provided,
 12 \$4,538,650,000 is for carrying out the community devel-
 13 opment block grant program under title I of the Housing
 14 and Community Development Act of 1974, as amended
 15 (the “Act” herein) (42 U.S.C. 5301 et seq.): *Provided fur-*
 16 *ther*, That unless explicitly provided for under this heading
 17 (except for planning grants provided in the third para-
 18 graph and amounts made available in the second para-
 19 graph), not to exceed 20 percent of any grant made with
 20 funds appropriated under this heading (other than a grant
 21 made available in this paragraph to the Housing Assist-
 22 ance Council or the National American Indian Housing
 23 Council, or a grant using funds under section 107(b)(3)
 24 of the Act) shall be expended for planning and manage-
 25 ment development and administration: *Provided further*,
 26 That \$72,000,000 shall be for grants to Indian tribes not-

1 withstanding section 106(a)(1) of such Act; \$3,300,000
2 shall be for a grant to the Housing Assistance Council;
3 \$2,400,000 shall be for a grant to the National American
4 Indian Housing Council; \$5,000,000 shall be available as
5 a grant to the National Housing Development Corpora-
6 tion, for operating expenses not to exceed \$2,000,000 and
7 for a program of affordable housing acquisition and reha-
8 bilitation; \$5,000,000 shall be available as a grant to the
9 National Council of La Raza for the HOPE Fund, of
10 which \$500,000 is for technical assistance and fund man-
11 agement, and \$4,500,000 is for investments in the HOPE
12 Fund and financing to affiliated organizations;
13 \$43,000,000 shall be for grants pursuant to section 107
14 of the Act, of which \$9,500,000 shall be for the Native
15 Hawaiian block grant authorized under title VIII of the
16 Native American Housing Assistance and Self-Determina-
17 tion Act of 1996; no less than \$4,900,000 shall be trans-
18 ferred to the Working Capital Fund for the development
19 of and modification to information technology systems
20 which serve programs or activities under “Community
21 planning and development”; \$28,000,000 shall be for
22 grants pursuant to the Self Help Homeownership Oppor-
23 tunity Program; \$33,250,000 shall be for capacity build-
24 ing, of which \$28,250,000 shall be for Capacity Building
25 for Community Development and Affordable Housing for

1 LISC and the Enterprise Foundation for activities as au-
2 thorized by section 4 of the HUD Demonstration Act of
3 1993 (42 U.S.C. 9816 note), as in effect immediately be-
4 fore June 12, 1997, with not less than \$5,000,000 of the
5 funding to be used in rural areas, including tribal areas,
6 and of which \$5,000,000 shall be for capacity building ac-
7 tivities administered by Habitat for Humanity Inter-
8 national; \$65,000,000 shall be available for YouthBuild
9 program activities authorized by subtitle D of title IV of
10 the Cranston-Gonzalez National Affordable Housing Act,
11 as amended, and such activities shall be an eligible activity
12 with respect to any funds made available under this head-
13 ing: *Provided* That local YouthBuild programs that dem-
14 onstrate an ability to leverage private and nonprofit fund-
15 ing shall be given a priority for YouthBuild funding: *Pro-*
16 *vided further*, That no more than 10 percent of any grant
17 award under the YouthBuild program may be used for ad-
18 ministrative costs: *Provided further*, That of the amount
19 made available for YouthBuild not less than \$10,000,000
20 is for grants to establish YouthBuild programs in under-
21 served and rural areas and \$2,000,000 is to be made avail-
22 able for a grant to YouthBuild USA for capacity building
23 for community development and affordable housing activi-
24 ties as specified in section 4 of the HUD Demonstration
25 Act of 1993, as amended.

1 Of the amount made available under this heading,
2 \$21,000,000 shall be available for neighborhood initiatives
3 that are utilized to improve the conditions of distressed
4 and blighted areas and neighborhoods, to stimulate invest-
5 ment, economic diversification, and community revitaliza-
6 tion in areas with population outmigration or a stagnating
7 or declining economic base, or to determine whether hous-
8 ing benefits can be integrated more effectively with welfare
9 reform initiatives: *Provided*, That amounts made available
10 under this paragraph shall be provided in accordance with
11 the terms and conditions specified in the report accom-
12 panying this Act.

13 Of the amount made available under this heading,
14 \$137,500,000 shall be available for grants for the Eco-
15 nomic Development Initiative (EDI) to finance a variety
16 of targeted economic investments in accordance with the
17 terms and conditions specified in the report accompanying
18 this Act: *Provided*, That none of the funds provided under
19 this paragraph may be used for program operations.

20 The referenced statement of the managers under this
21 heading in Public Law 107–73 is deemed to be amended
22 with respect to the amount made available to the North
23 Carolina Community Land Trust Initiative by striking
24 “North Carolina Community Land Trust Initiative” and
25 inserting “Orange Community Housing and Land Trust”.

1 The referenced statement of the managers under this
2 heading in Public Law 107–73 is deemed to be amended
3 with respect to the amount made available to the Willacy
4 County Boys and Girls Club in Willacy County, Texas by
5 striking “Willacy County Boys and Girls Club in Willacy
6 County, Texas” and inserting “Willacy County, Texas”.

7 The referenced statement of the managers under this
8 heading in Public Law 108–10 is deemed to be amended
9 with respect to item number 17 by striking “for sidewalks,
10 curbs, street lighting, outdoor furniture and façade im-
11 provements in the Mill Village neighborhood” and insert-
12 ing “for the restoration and renovation of houses within
13 the Lincoln or Dallas mill villages”.

14 The referenced statement of the managers under this
15 heading in Public Law 107–73 is deemed to be amended
16 with respect to the amount made available to the Metro-
17 politan Development Association in Syracuse, New York
18 by inserting “and other economic development planning
19 and revitalization activities” after the word “study”.

20 The referenced statement of the managers under this
21 heading in Public Law 107–73 is deemed to be amended
22 with respect to the amount made available to the Staten
23 Island Freedom Memorial Fund by striking all “Staten
24 Island Freedom Memorial Fund for the construction of
25 a memorial in the Staten Island community of St. George,

1 New York” and inserting “Staten Island Botanical Gar-
2 den for construction and related activities for a healing
3 garden”.

4 The referenced statement of the managers under this
5 heading in title II of division K of the Consolidated Appro-
6 priations Resolution, 2003 (Public Law 108–7; H. Rept.
7 108–10) is deemed to be amended with respect to item
8 number 526 by striking “for an economic development
9 study for the revitalization of Westchester” and inserting
10 “for the reconstruction of renaissance plaza at Main and
11 Mamaroneck in downtown White Plains”.

12 The referenced statement of the managers under this
13 heading in title II of division K of the Consolidated Appro-
14 priations Resolution, 2003 (Public Law 108–7; H. Rept.
15 108–10) is deemed to be amended with respect to item
16 number 877 by striking “West Virginia High Technology
17 Consortium Foundation, Inc. in Marion County, West Vir-
18 ginia for facilities construction for a high-tech park” and
19 inserting “Glenville State College in Glenville, West Vir-
20 ginia for construction of a new campus community edu-
21 cation center”.

22 The referenced statement of the managers under this
23 heading in title II of division K of the Consolidated Appro-
24 priations Resolution, 2003 (Public Law 108–7; H. Rept.
25 108–10) is deemed to be amended with respect to item

1 number 126 by striking “for construction of” and insert-
 2 ing “for facilities improvements and build out for”.

3 URBAN DEVELOPMENT ACTION GRANTS

4 (RESCISSION)

5 From balances of the Urban Development Action
 6 Grant Program, as authorized by title I of the Housing
 7 and Community Development Act of 1974, as amended,
 8 \$30,000,000 are canceled.

9 BROWNFIELDS REDEVELOPMENT

10 For competitive economic development grants, as au-
 11 thorized by section 108(q) of the Housing and Community
 12 Development Act of 1974, as amended, for Brownfields
 13 redevelopment projects, \$25,000,000, to remain available
 14 until September 30, 2005.

15 HOME INVESTMENT PARTNERSHIPS PROGRAM

16 (INCLUDING TRANSFER OF FUNDS)

17 For the HOME investment partnerships program, as
 18 authorized under title II of the Cranston-Gonzalez Na-
 19 tional Affordable Housing Act, as amended,
 20 \$1,939,100,000, to remain available until September 30,
 21 2006: *Provided*, That of the total amount provided in this
 22 paragraph, up to \$40,000,000 shall be available for hous-
 23 ing counseling under section 106 of the Housing and
 24 Urban Development Act of 1968 and no less than
 25 \$2,100,000 shall be transferred to the Working Capital
 26 Fund for the development of and modifications to informa-

tion technology systems which serve programs or activities under “Community planning and development”.

In addition to amounts otherwise made available under this heading, \$125,000,000, to remain available until September 30, 2006, for assistance to homebuyers as authorized under title II of the Cranston-Gonzalez National Affordable Housing Act, as amended: *Provided*, That the Secretary shall provide such assistance in accordance with a formula to be established by the Secretary that considers a participating jurisdiction’s need for, and prior commitment to, assistance to homebuyers.

HOMELESS ASSISTANCE GRANTS
(INCLUDING TRANSFER OF FUNDS)

For the emergency shelter grants program as authorized under subtitle B of title IV of the McKinney-Vento Homeless Assistance Act, as amended; the supportive housing program as authorized under subtitle C of title IV of such Act; the section 8 moderate rehabilitation single room occupancy program as authorized under the United States Housing Act of 1937, as amended, to assist homeless individuals pursuant to section 441 of the McKinney-Vento Homeless Assistance Act; and the shelter plus care program as authorized under subtitle F of title IV of such Act, \$1,242,000,000, of which \$1,222,000,000 to remain available until September 30, 2006, and of which \$20,000,000 to remain available until expended:

1 *Provided*, That not less than 30 percent of funds made
2 available, excluding amounts provided for renewals under
3 the shelter plus care program, shall be used for permanent
4 housing: *Provided further*, That all funds awarded for
5 services shall be matched by 25 percent in funding by each
6 grantee: *Provided further*, That the Secretary shall renew
7 on an annual basis expiring contracts or amendments to
8 contracts funded under the shelter plus care program if
9 the program is determined to be needed under the applica-
10 ble continuum of care and meets appropriate program re-
11 quirements and financial standards, as determined by the
12 Secretary: *Provided further*, That all awards of assistance
13 under this heading shall be required to coordinate and in-
14 tegrate homeless programs with other mainstream health,
15 social services, and employment programs for which home-
16 less populations may be eligible, including Medicaid, State
17 Children's Health Insurance Program, Temporary Assist-
18 ance for Needy Families, Food Stamps, and services fund-
19 ing through the Mental Health and Substance Abuse
20 Block Grant, Workforce Investment Act, and the Welfare-
21 to-Work grant program: *Provided further*, That
22 \$12,000,000 of the funds appropriated under this heading
23 shall be available for the national homeless data analysis
24 project and technical assistance: *Provided further*, That no
25 less than \$2,580,000 of the funds appropriated under this

1 heading shall be transferred to the Working Capital Fund
 2 for the development of and modifications to information
 3 technology systems which serve programs or activities
 4 under “Community planning and development”.

5 HOUSING PROGRAMS

6 HOUSING FOR THE ELDERLY

7 (INCLUDING TRANSFER OF FUNDS)

8 For capital advances, including amendments to cap-
 9 ital advance contracts, for housing for the elderly, as au-
 10 thorized by section 202 of the Housing Act of 1959, as
 11 amended, and for project rental assistance for the elderly
 12 under section 202(c)(2) of such Act, including amend-
 13 ments to contracts for such assistance and renewal of ex-
 14 piring contracts for such assistance for up to a 1-year
 15 term, and for supportive services associated with the hous-
 16 ing, \$773,320,000, plus recaptures and cancelled commit-
 17 ments, to remain available until September 30, 2006, of
 18 which amount \$50,000,000 shall be for service coordina-
 19 tors and the continuation of existing congregate service
 20 grants for residents of assisted housing projects, and of
 21 which amount up to \$25,000,000 shall be for grants under
 22 section 202b of the Housing Act of 1959 (12 U.S.C.
 23 1701q–2) for conversion of eligible projects under such
 24 section to assisted living or related use: *Provided*, That
 25 of the amount made available under this heading,
 26 \$16,000,000 shall be available to the Secretary of Housing

1 and Urban Development only for making competitive
2 grants to private nonprofit organizations and consumer
3 cooperatives for covering costs of architectural and engi-
4 neering work, site control, and other planning relating to
5 the development of supportive housing for the elderly that
6 is eligible for assistance under section 202 of the Housing
7 Act of 1959 (12 U.S.C. 1701q): *Provided further*, That
8 no less than \$470,000 shall be transferred to the Working
9 Capital Fund for the development of and modifications to
10 information technology systems which serve programs or
11 activities under “Housing programs” or “Federal Housing
12 Administration”: *Provided further*, That the Secretary
13 may waive the provisions of section 202 governing the
14 terms and conditions of project rental assistance, except
15 that the initial contract term for such assistance shall not
16 exceed 5 years in duration: *Provided further*, That all
17 balances outstanding, as of September 30, 2003, for cap-
18 ital advances, including amendments to capital advances,
19 for housing for elderly, as authorized by section 202, for
20 project rental assistance for housing for the elderly, as au-
21 thorized under section 202(c)(2) of such Act, including
22 amendments to contracts shall be transferred to and
23 merged with the amounts for those purposes under this
24 heading.

HOUSING FOR PERSONS WITH DISABILITIES
(INCLUDING TRANSFER OF FUNDS)

For capital advance contracts, for supportive housing for persons with disabilities, as authorized by section 811 of the Cranston-Gonzalez National Affordable Housing Act, for project rental assistance for supportive housing for persons with disabilities under section 811(d)(2) of such Act, including amendments to contracts for such assistance and renewal of expiring contracts for such assistance for up to a 1-year term, and for supportive services associated with the housing for persons with disabilities as authorized by section 811(b)(1) of such Act, and for tenant-based rental assistance contracts entered into pursuant to section 811 of such Act, \$250,570,000, plus recaptures and cancelled commitments to remain available until September 30, 2006: *Provided*, That no less than \$470,000 shall be transferred to the Working Capital Fund for the development of and modifications to information technology systems which serve programs or activities under “Housing programs” or “Federal Housing Administration”: *Provided further*, That of the amount provided under this heading, other than amounts for renewal of expiring project-based or tenant-based rental assistance contracts, the Secretary may designate up to 25 percent for tenant-based rental assistance, as authorized by section 811 of such Act, (which assistance is five years in dura-

1 tion): *Provided further*, That the Secretary may waive the
 2 provisions of section 811 governing the terms and condi-
 3 tions of project rental assistance and tenant-based assist-
 4 ance, except that the initial contract term for such assist-
 5 ance shall not exceed five years in duration: *Provided fur-*
 6 *ther*, That all balances outstanding, as of September 30,
 7 2003, for capital advances, including amendments to cap-
 8 ital advances, for supportive housing for persons with dis-
 9 abilities, as authorized by section 811, for project rental
 10 assistance for supportive housing for persons with disabil-
 11 ities, as authorized under section 811(d)(2), including
 12 amendments to contracts for such assistance and renewal
 13 of expiring contracts for such assistance, and for sup-
 14 portive services associated with the housing for persons
 15 with disabilities as authorized by section 811(b)(1), shall
 16 be transferred to and merged with the amounts for these
 17 purposes under this heading.

18 FLEXIBLE SUBSIDY FUND

19 (TRANSFER OF FUNDS)

20 From the Rental Housing Assistance Fund, all un-
 21 committed balances of excess rental charges as of Sep-
 22 tember 30, 2003, and any collections made during fiscal
 23 year 2004, shall be transferred to the Flexible Subsidy
 24 Fund, as authorized by section 236(g) of the National
 25 Housing Act, as amended.

RENTAL HOUSING ASSISTANCE

(RESCISSION)

Up to \$303,000,000 of recaptured section 236 budget authority resulting from prepayment of mortgages subsidized under section 236 of the National Housing Act (12 U.S.C. 1715z-1) shall be rescinded in fiscal year 2004: *Provided*, That the limitation otherwise applicable to the maximum payments that may be required in any fiscal year by all contracts entered into under section 236 is reduced in fiscal year 2004 by not more than \$303,000,000 in uncommitted balances of authorizations of contract authority provided for this purpose in prior appropriations Acts.

MANUFACTURED HOUSING FEES TRUST FUND

For necessary expenses as authorized by the National Manufactured Housing Construction and Safety Standards Act of 1974, as amended (42 U.S.C. 5401 et seq.), up to \$13,000,000 to remain available until expended, to be derived from the Manufactured Housing Fees Trust Fund: *Provided*, That not to exceed the total amount appropriated under this heading shall be available from the general fund of the Treasury to the extent necessary to incur obligations and make expenditures pending the receipt of collections to the Fund pursuant to section 620 of such Act: *Provided further*, That the amount made available under this heading from the general fund shall

1 be reduced as such collections are received during fiscal
2 year 2004 so as to result in a final fiscal year 2004 appro-
3 priation from the general fund estimated at not more than
4 \$0 and fees pursuant to such section 620 shall be modified
5 as necessary to ensure such a final fiscal year 2004 appro-
6 priation.

7 FEDERAL HOUSING ADMINISTRATION

8 MUTUAL MORTGAGE INSURANCE PROGRAM ACCOUNT

9 (INCLUDING TRANSFERS OF FUNDS)

10 During fiscal year 2004, commitments to guarantee
11 loans to carry out the purposes of section 203(b) of the
12 National Housing Act, as amended, shall not exceed a loan
13 principal of \$185,000,000,000.

14 During fiscal year 2004, obligations to make direct
15 loans to carry out the purposes of section 204(g) of the
16 National Housing Act, as amended, shall not exceed
17 \$50,000,000: *Provided*, That the foregoing amount shall
18 be for loans to nonprofit and governmental entities in con-
19 nection with sales of single family real properties owned
20 by the Secretary and formerly insured under the Mutual
21 Mortgage Insurance Fund.

22 For administrative expenses necessary to carry out
23 the guaranteed and direct loan program, \$359,000,000,
24 of which not to exceed \$355,000,000 shall be transferred
25 to the appropriation for “Salaries and expenses”; and not
26 to exceed \$4,000,000 shall be transferred to the appro-

1 priation for “Office of Inspector General”. In addition, for
 2 administrative contract expenses, \$85,000,000, of which
 3 no less than \$20,744,000 shall be transferred to the Work-
 4 ing Capital Fund for the development of and modifications
 5 to information technology systems which serve programs
 6 or activities under “Housing programs” or “Federal
 7 Housing Administration”: *Provided*, That to the extent
 8 guaranteed loan commitments exceed \$65,500,000,000 on
 9 or before April 1, 2004, an additional \$1,400 for adminis-
 10 trative contract expenses shall be available for each
 11 \$1,000,000 in additional guaranteed loan commitments
 12 (including a pro rata amount for any amount below
 13 \$1,000,000), but in no case shall funds made available by
 14 this proviso exceed \$30,000,000.

15 GENERAL AND SPECIAL RISK PROGRAM ACCOUNT

16 (INCLUDING TRANSFERS OF FUNDS)

17 For the cost of guaranteed loans, as authorized by
 18 sections 238 and 519 of the National Housing Act (12
 19 U.S.C. 1715z-3 and 1735c), including the cost of loan
 20 guarantee modifications, as that term is defined in section
 21 502 of the Congressional Budget Act of 1974, as amend-
 22 ed, \$15,000,000, to remain available until expended: *Pro-*
 23 *vided*, That these funds are available to subsidize total
 24 loan principal, any part of which is to be guaranteed, of
 25 up to \$25,000,000,000.

1 Gross obligations for the principal amount of direct
2 loans, as authorized by sections 204(g), 207(l), 238, and
3 519(a) of the National Housing Act, shall not exceed
4 \$50,000,000, of which not to exceed \$30,000,000 shall be
5 for bridge financing in connection with the sale of multi-
6 family real properties owned by the Secretary and for-
7 merly insured under such Act; and of which not to exceed
8 \$20,000,000 shall be for loans to nonprofit and govern-
9 mental entities in connection with the sale of single-family
10 real properties owned by the Secretary and formerly in-
11 sured under such Act.

12 In addition, for administrative expenses necessary to
13 carry out the guaranteed and direct loan programs,
14 \$229,000,000, of which \$209,000,000 shall be transferred
15 to the appropriation for “Salaries and expenses”; and of
16 which \$20,000,000 shall be transferred to the appropria-
17 tion for “Office of Inspector General”.

18 In addition, for administrative contract expenses nec-
19 essary to carry out the guaranteed and direct loan pro-
20 grams, \$93,780,000, of which no less than \$16,946,000
21 shall be transferred to the Working Capital Fund for the
22 development of and modifications to information tech-
23 nology systems which serve programs or activities under
24 “Housing programs” or “Federal Housing Administra-
25 tion”: *Provided*, That to the extent guaranteed loan com-

1 mitments exceed \$8,426,000,000 on or before April 1,
 2 2004, an additional \$1,980 for administrative contract ex-
 3 penses shall be available for each \$1,000,000 in additional
 4 guaranteed loan commitments over \$8,426,000,000 (in-
 5 cluding a pro rata amount for any increment below
 6 \$1,000,000), but in no case shall funds made available by
 7 this proviso exceed \$14,400,000.

8 GOVERNMENT NATIONAL MORTGAGE ASSOCIATION
 9 GUARANTEES OF MORTGAGE-BACKED SECURITIES LOAN
 10 GUARANTEE PROGRAM ACCOUNT
 11 (INCLUDING TRANSFER OF FUNDS)

12 New commitments to issue guarantees to carry out
 13 the purposes of section 306 of the National Housing Act,
 14 as amended (12 U.S.C. 1721(g)), shall not exceed
 15 \$200,000,000,000, to remain available until September
 16 30, 2005.

17 For administrative expenses necessary to carry out
 18 the guaranteed mortgage-backed securities program,
 19 \$10,695,000, to be derived from the GNMA guarantees
 20 of mortgage-backed securities guaranteed loan receipt ac-
 21 count, of which not to exceed \$10,695,000, shall be trans-
 22 ferred to the appropriation for “Salaries and expenses”.

23 POLICY DEVELOPMENT AND RESEARCH
 24 RESEARCH AND TECHNOLOGY

25 For contracts, grants, and necessary expenses of pro-
 26 grams of research and studies relating to housing and

1 urban problems, not otherwise provided for, as authorized
 2 by title V of the Housing and Urban Development Act
 3 of 1970, as amended (12 U.S.C. 1701z-1 et seq.), includ-
 4 ing carrying out the functions of the Secretary under sec-
 5 tion 1(a)(1)(i) of Reorganization Plan No. 2 of 1968,
 6 \$47,000,000, to remain available until September 30,
 7 2005: *Provided*, That of the total amount provided under
 8 this heading, \$7,500,000 shall be for the Partnership for
 9 Advancing Technology in Housing (PATH) Initiative.

10 FAIR HOUSING AND EQUAL OPPORTUNITY

11 FAIR HOUSING ACTIVITIES

12 For contracts, grants, and other assistance, not oth-
 13 erwise provided for, as authorized by title VIII of the Civil
 14 Rights Act of 1968, as amended by the Fair Housing
 15 Amendments Act of 1988, and section 561 of the Housing
 16 and Community Development Act of 1987, as amended,
 17 \$46,000,000, to remain available until September 30,
 18 2005, of which \$20,250,000 shall be to carry out activities
 19 pursuant to such section 561: *Provided*, That no funds
 20 made available under this heading shall be used to lobby
 21 the executive or legislative branches of the Federal Gov-
 22 ernment in connection with a specific contract, grant or
 23 loan.

OFFICE OF LEAD HAZARD CONTROL

LEAD HAZARD REDUCTION

For the Lead Hazard Reduction Program, as authorized by section 1011 of the Residential Lead-Based Paint Hazard Reduction Act of 1992, \$130,000,000, to remain available until September 30, 2005, of which \$10,000,000 shall be for the Healthy Homes Initiative, pursuant to sections 501 and 502 of the Housing and Urban Development Act of 1970 that shall include research, studies, testing, and demonstration efforts, including education and outreach concerning lead-based paint poisoning and other housing-related diseases and hazards.

MANAGEMENT AND ADMINISTRATION

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For necessary administrative and non-administrative expenses of the Department of Housing and Urban Development, not otherwise provided for, including purchase of uniforms, or allowances therefor, as authorized by 5 U.S.C. 5901–5902; hire of passenger motor vehicles; services as authorized by 5 U.S.C. 3109; and not to exceed \$25,000 for official reception and representation expenses, \$1,122,130,000, of which \$564,000,000 shall be provided from the various funds of the Federal Housing Administration, \$10,695,000 shall be provided from funds of the Government National Mortgage Association, \$150,000

1 shall be provided by transfer from the “Native American
2 housing block grants” account, \$250,000 shall be provided
3 by transfer from the “Indian housing loan guarantee fund
4 program” account and \$35,000 shall be transferred from
5 the “Native Hawaiian housing loan guarantee fund” ac-
6 count: *Provided*, That funds made available under this
7 heading shall only be allocated in the manner specified in
8 the report accompanying this Act unless the Committees
9 on Appropriations of both the House of Representatives
10 and the Senate are notified of any changes in an operating
11 plan or reprogramming: *Provided further*, That no official
12 or employee of the Department shall be designated as an
13 allotment holder unless the Office of the Chief Financial
14 Officer (OCFO) has determined that such allotment hold-
15 er has implemented an adequate system of funds control
16 and has received training in funds control procedures and
17 directives: *Provided further*, That the Chief Financial Offi-
18 cer shall establish positive control of and maintain ade-
19 quate systems of accounting for appropriations and other
20 available funds as required by 31 U.S.C. 1514: *Provided*
21 *further*, That for purposes of funds control and deter-
22 mining whether a violation exists under the Anti-Defi-
23 ciency Act (31 U.S.C. 1341 et seq.), the point of obligation
24 shall be the executed agreement or contract, except with
25 respect to insurance and guarantee programs, certain

1 types of salaries and expenses funding, and incremental
2 funding that is authorized under an executed agreement
3 or contract, and shall be designated in the approved funds
4 control plan: *Provided further*, That the Chief Financial
5 Officer shall: (a) appoint qualified personnel to conduct
6 investigations of potential or actual violations; (b) estab-
7 lish minimum training requirements and other qualifica-
8 tions for personnel that may be appointed to conduct in-
9 vestigations; (c) establish guidelines and timeframes for
10 the conduct and completion of investigations; (d) prescribe
11 the content, format and other requirements for the sub-
12 mission of final reports on violations; and (e) prescribe
13 such additional policies and procedures as may be required
14 for conducting investigations of, and administering, proc-
15 essing, and reporting on, potential and actual violations
16 of the Anti-Deficiency Act and all other statutes and regu-
17 lations governing the obligation and expenditure of funds
18 made available in this or any other Act: *Provided further*,
19 That the Secretary shall fill 7 out of 10 vacancies at the
20 GS-14 and GS-15 levels until the total number of GS-
21 14 and GS-15 positions in the Department has been re-
22 duced from the number of GS-14 and GS-15 positions
23 on the date of enactment of Public Law 106-377 by 2½
24 percent: *Provided further*, That the Secretary shall submit
25 a staffing plan for the Department by November 15, 2003.

1 The tenth proviso under this heading in the Depart-
 2 ments of Veterans Affairs and Housing and Urban Devel-
 3 opment, and Independent Agencies Appropriations Act,
 4 2003, is amended by striking “the purpose of” and insert-
 5 ing “purposes of funds control and” and before the colon
 6 insert the following “, except with respect to insurance and
 7 guarantee programs, certain types of salaries and ex-
 8 penses funding, and incremental funding that is author-
 9 ized under an executed agreement or contract”.

10 WORKING CAPITAL FUND

11 For additional capital for the Working Capital Fund
 12 (42 U.S.C. 3535) for the development of, modifications
 13 to, and infrastructure for Department-wide information
 14 technology systems, and for the continuing operation of
 15 both Department-wide and program-specific information
 16 systems, \$240,000,000 (reduced by \$150,000,000), to re-
 17 main available until September 30, 2005: *Provided*, That
 18 any amounts transferred to this Fund under this Act shall
 19 remain available until expended.

20 OFFICE OF INSPECTOR GENERAL

21 (INCLUDING TRANSFER OF FUNDS)

22 For necessary expenses of the Office of Inspector
 23 General in carrying out the Inspector General Act of 1978,
 24 as amended, \$100,080,000, of which \$24,000,000 shall be
 25 provided from the various funds of the Federal Housing
 26 Administration: *Provided*, That the Inspector General

1 shall have independent authority over all personnel issues
 2 within this office: *Provided further*, That no less than
 3 \$300,000 shall be transferred to the Working Capital
 4 Fund for the development of and modifications to informa-
 5 tion technology systems for the Office of Inspector Gen-
 6 eral.

7 CONSOLIDATED FEE FUND

8 (RESCISSION)

9 All unobligated balances remaining available from
 10 fees and charges under section 7(j) of the Department of
 11 Housing and Urban Development Act on October 1, 2003
 12 are rescinded.

13 OFFICE OF FEDERAL HOUSING ENTERPRISE OVERSIGHT

14 SALARIES AND EXPENSES

15 (INCLUDING TRANSFER OF FUNDS)

16 For carrying out the Federal Housing Enterprises
 17 Financial Safety and Soundness Act of 1992, including
 18 not to exceed \$500 for official reception and representa-
 19 tion expenses, \$32,415,000, to remain available until ex-
 20 pended, to be derived from the Federal Housing Enter-
 21 prises Oversight Fund: *Provided*, That not to exceed such
 22 amount shall be available from the general fund of the
 23 Treasury to the extent necessary to incur obligations and
 24 make expenditures pending the receipt of collections to the
 25 Fund: *Provided further*, That the general fund amount
 26 shall be reduced as collections are received during the fis-

1 cal year so as to result in a final appropriation from the
2 general fund estimated at not more than \$0.

3 ADMINISTRATIVE PROVISIONS

4 SEC. 201. Fifty percent of the amounts of budget au-
5 thority, or in lieu thereof 50 percent of the cash amounts
6 associated with such budget authority, that are recaptured
7 from projects described in section 1012(a) of the Stewart
8 B. McKinney Homeless Assistance Amendments Act of
9 1988 (42 U.S.C. 1437 note) shall be rescinded, or in the
10 case of cash, shall be remitted to the Treasury, and such
11 amounts of budget authority or cash recaptured and not
12 rescinded or remitted to the Treasury shall be used by
13 State housing finance agencies or local governments or
14 local housing agencies with projects approved by the Sec-
15 retary of Housing and Urban Development for which set-
16 tlement occurred after January 1, 1992, in accordance
17 with such section. Notwithstanding the previous sentence,
18 the Secretary may award up to 15 percent of the budget
19 authority or cash recaptured and not rescinded or remitted
20 to the Treasury to provide project owners with incentives
21 to refinance their project at a lower interest rate.

22 SEC. 202. None of the amounts made available under
23 this Act may be used during fiscal year 2003 to investigate
24 or prosecute under the Fair Housing Act any otherwise
25 lawful activity engaged in by one or more persons, includ-

1 ing the filing or maintaining of a non-frivolous legal ac-
2 tion, that is engaged in solely for the purpose of achieving
3 or preventing action by a Government official or entity,
4 or a court of competent jurisdiction.

5 SEC. 203. (a) Notwithstanding section 854(c)(1)(A)
6 of the AIDS Housing Opportunity Act (42 U.S.C.
7 12903(c)(1)(A)), from any amounts made available under
8 this title for fiscal year 2004 that are allocated under such
9 section, the Secretary of Housing and Urban Development
10 shall allocate and make a grant, in the amount determined
11 under subsection (b), for any State that—

12 (1) received an allocation in a prior fiscal year
13 under clause (ii) of such section; and

14 (2) is not otherwise eligible for an allocation for
15 fiscal year 2004 under such clause (ii) because the
16 areas in the State outside of the metropolitan statis-
17 tical areas that qualify under clause (i) in fiscal year
18 2004 do not have the number of cases of acquired
19 immunodeficiency syndrome (AIDS) required under
20 such clause.

21 (b) The amount of the allocation and grant for any
22 State described in subsection (a) shall be an amount based
23 on the cumulative number of AIDS cases in the areas of
24 that State that are outside of metropolitan statistical
25 areas that qualify under clause (i) of such section

1 854(c)(1)(A) in fiscal year 2004, in proportion to AIDS
2 cases among cities and States that qualify under clauses
3 (i) and (ii) of such section and States deemed eligible
4 under subsection (a).

5 SEC. 204. (a) Section 225(a) of the Departments of
6 Veterans Affairs and Housing and Urban Development,
7 and Independent Agencies Appropriations Act, 2000, Pub-
8 lic Law 106–74 (113 Stat. 1076), is amended by striking
9 “year 2000, and the amounts that would otherwise be allo-
10 cated for fiscal year 2001 and fiscal year 2002”, and in-
11 serting “years 2000, 2001, 2002, 2003, and 2004”.

12 (b) Notwithstanding any other provision of law, the
13 Secretary of Housing and Urban Development shall allo-
14 cate to Wake County, North Carolina, the amounts that
15 otherwise would be allocated for fiscal year 2004 under
16 section 854(c) of the AIDS Housing Opportunity Act (42
17 U.S.C. 12903(c)) to the City of Raleigh, North Carolina,
18 on behalf of the Raleigh-Durham-Chapel Hill, North Caro-
19 lina Metropolitan Statistical Area. Any amounts allocated
20 to Wake County shall be used to carry out eligible activi-
21 ties under section 855 of such Act (42 U.S.C. 12904)
22 within such metropolitan statistical area.

23 SEC. 205. (a) During fiscal year 2004, in the provi-
24 sion of rental assistance under section 8(o) of the United
25 States Housing Act of 1937 (42 U.S.C. 1437f(o)) in con-

1 nection with a program to demonstrate the economy and
2 effectiveness of providing such assistance for use in as-
3 sisted living facilities that is carried out in the counties
4 of the State of Michigan specified in subsection (b) of this
5 section, notwithstanding paragraphs (3) and (18)(B)(iii)
6 of such section 8(o), a family residing in an assisted living
7 facility in any such county, on behalf of which a public
8 housing agency provides assistance pursuant to section
9 8(o)(18) of such Act, may be required, at the time the
10 family initially receives such assistance, to pay rent in an
11 amount exceeding 40 percent of the monthly adjusted in-
12 come of the family by such a percentage or amount as
13 the Secretary of Housing and Urban Development deter-
14 mines to be appropriate.

15 (b) The counties specified in this subsection are Oak-
16 land County, Macomb County, Wayne County, and
17 Washtenaw County, in the State of Michigan.

18 SEC. 206. Except as explicitly provided in law, any
19 grant, cooperative agreement or other assistance made
20 pursuant to title II of this Act shall be made on a competi-
21 tive basis and in accordance with section 102 of the De-
22 partment of Housing and Urban Development Reform Act
23 of 1989.

24 SEC. 207. Funds of the Department of Housing and
25 Urban Development subject to the Government Corpora-

tion Control Act or section 402 of the Housing Act of 1950 shall be available, without regard to the limitations on administrative expenses, for legal services on a contract or fee basis, and for utilizing and making payment for services and facilities of the Federal National Mortgage Association, Government National Mortgage Association, Federal Home Loan Mortgage Corporation, Federal Financing Bank, Federal Reserve banks or any member thereof, Federal Home Loan banks, and any insured bank within the meaning of the Federal Deposit Insurance Corporation Act, as amended (12 U.S.C. 1811–1831).

SEC. 208. Unless otherwise provided for in this Act or through a reprogramming of funds, no part of any appropriation for the Department of Housing and Urban Development shall be available for any program, project or activity in excess of amounts set forth in the budget estimates submitted to Congress.

SEC. 209. Corporations and agencies of the Department of Housing and Urban Development which are subject to the Government Corporation Control Act, as amended, are hereby authorized to make such expenditures, within the limits of funds and borrowing authority available to each such corporation or agency and in accordance with law, and to make such contracts and commitments without regard to fiscal year limitations as pro-

1 vided by section 104 of such Act as may be necessary in
2 carrying out the programs set forth in the budget for 2003
3 for such corporation or agency except as hereinafter pro-
4 vided: *Provided*, That collections of these corporations and
5 agencies may be used for new loan or mortgage purchase
6 commitments only to the extent expressly provided for in
7 this Act (unless such loans are in support of other forms
8 of assistance provided for in this or prior appropriations
9 Acts), except that this proviso shall not apply to the mort-
10 gage insurance or guaranty operations of these corpora-
11 tions, or where loans or mortgage purchases are necessary
12 to protect the financial interest of the United States Gov-
13 ernment.

14 SEC. 210. None of the funds provided in this title
15 for technical assistance, training, or management improve-
16 ments may be obligated or expended unless HUD provides
17 to the Committees on Appropriations a description of each
18 proposed activity and a detailed budget estimate of the
19 costs associated with each program, project or activity as
20 part of the Budget Justifications. For fiscal year 2004,
21 HUD shall transmit this information to the Committees
22 by November 15, 2003 for 30 days of review.

23 SEC. 211. A public housing agency or such other enti-
24 ty that administers Federal housing assistance in the
25 states of Alaska, Iowa, and Mississippi shall not be re-

1 quired to include a resident of public housing or a recipi-
2 ent of assistance provided under section 8 of the United
3 States Housing Act of 1937 on the board of directors or
4 a similar governing board of such agency or entity as re-
5 quired under section (2)(b) of such Act. Each public hous-
6 ing agency or other entity that administers Federal hous-
7 ing assistance under section 8 in the states of Alaska,
8 Iowa and Mississippi shall establish an advisory board of
9 not less than 6 residents of public housing or recipients
10 of section 8 assistance to provide advice and comment to
11 the public housing agency or other administering entity
12 on issues related to public housing and section 8. Such
13 advisory board shall meet not less than quarterly.

14 SEC. 212. The Secretary of Housing and Urban De-
15 velopment shall provide quarterly reports to the House
16 and Senate Committees on Appropriations regarding all
17 uncommitted, unobligated, recaptured and excess funds in
18 each program and activity within the jurisdiction of the
19 Department and shall submit additional, updated budget
20 information to these Committees upon request.

21 TITLE III—INDEPENDENT AGENCIES

22 AMERICAN BATTLE MONUMENTS COMMISSION

23 SALARIES AND EXPENSES

24 For necessary expenses, not otherwise provided for,
25 of the American Battle Monuments Commission, including

1 the acquisition of land or interest in land in foreign coun-
 2 tries; purchases and repair of uniforms for caretakers of
 3 national cemeteries and monuments outside of the United
 4 States and its territories and possessions; rent of office
 5 and garage space in foreign countries; purchase (one for
 6 replacement only) and hire of passenger motor vehicles;
 7 and insurance of official motor vehicles in foreign coun-
 8 tries, when required by law of such countries, \$47,276,000
 9 (of which \$10,000,000 shall not become available until
 10 Septmeber 1, 2004), to remain available until expended.

11 CHEMICAL SAFETY AND HAZARD INVESTIGATION BOARD

12 SALARIES AND EXPENSES

13 For necessary expenses in carrying out activities pur-
 14 suant to section 112(r)(6) of the Clean Air Act, as amend-
 15 ed, including hire of passenger vehicles, uniforms or allow-
 16 ances therefore, as authorized by 5 U.S.C. 5901–5902,
 17 and for services authorized by 5 U.S.C. 3109 but at rates
 18 for individuals not to exceed the per diem equivalent to
 19 the maximum rate payable for senior level positions under
 20 5 U.S.C. 5376, \$8,550,000: *Provided*, That the Chemical
 21 Safety and Hazard Investigation Board shall have not
 22 more than three career Senior Executive Service positions.

23 EMERGENCY FUND

24 For necessary expenses of the Chemical Safety and
 25 Hazard Investigation Board for accident investigations

1 not otherwise provided for, \$450,000, to remain available
2 until expended.

3 DEPARTMENT OF THE TREASURY
4 COMMUNITY DEVELOPMENT FINANCIAL INSTITUTIONS
5 COMMUNITY DEVELOPMENT FINANCIAL INSTITUTIONS
6 FUND PROGRAM ACCOUNT

7 To carry out the Community Development Banking
8 and Financial Institutions Act of 1994, including services
9 authorized by 5 U.S.C. 3109, but at rates for individuals
10 not to exceed the per diem rate equivalent to the rate for
11 ES-3, \$51,000,000, to remain available until September
12 30, 2005, of which \$3,000,000 shall be for financial assist-
13 ance, technical assistance, training and outreach programs
14 designed to benefit Native American, Native Hawaiian,
15 and Alaskan Native communities and provided primarily
16 through qualified community development lender organi-
17 zations with experience and expertise in community devel-
18 opment banking and lending in Indian country, Native
19 American organizations, tribes and tribal organizations
20 and other suitable providers, and up to \$13,000,000 may
21 be used for administrative expenses, including administra-
22 tion of the New Markets Tax Credit, up to \$6,000,000
23 may be used for the cost of direct loans, and up to
24 \$250,000 may be used for administrative expenses to
25 carry out the direct loan program: *Provided*, That the cost

1 of direct loans, including the cost of modifying such loans,
2 shall be as defined in section 502 of the Congressional
3 Budget Act of 1974, as amended: *Provided further*, That
4 these funds are available to subsidize gross obligations for
5 the principal amount of direct loans not to exceed
6 \$11,000,000.

7 CONSUMER PRODUCT SAFETY COMMISSION

8 SALARIES AND EXPENSES

9 For necessary expenses of the Consumer Product
10 Safety Commission, including hire of passenger motor ve-
11 hicles, services as authorized by 5 U.S.C. 3109, but at
12 rates for individuals not to exceed the per diem rate equiv-
13 alent to the maximum rate payable under 5 U.S.C. 5376,
14 purchase of nominal awards to recognize non-Federal offi-
15 cials' contributions to Commission activities, and not to
16 exceed \$500 for official reception and representation ex-
17 penses, \$60,000,000: *Provided*, That up to \$1,000,000 is
18 for purposes of carrying out the Inspector General Act of
19 1978.

20 CORPORATION FOR NATIONAL AND COMMUNITY SERVICE

21 NATIONAL AND COMMUNITY SERVICE PROGRAMS

22 OPERATING EXPENSES

23 For necessary expenses for the Corporation for Na-
24 tional and Community Service (the "Corporation") in car-
25 rying out programs, activities, and initiatives under the

1 National and Community Service Act of 1990 (the “Act”)
2 (42 U.S.C. 12501 et seq.), \$363,452,000, to remain avail-
3 able until September 30, 2005: *Provided*, That not more
4 than \$30,500,000 shall be available for administrative ex-
5 penses authorized under section 501(a)(4): *Provided fur-*
6 *ther*, That not more than \$2,500 shall be for official recep-
7 tion and representation expenses: *Provided further*, That
8 \$244,352,000 of the amount provided under this heading
9 shall be available for grants under the National Service
10 Trust program authorized under subtitle C of title I of
11 the Act (42 U.S.C. 12571 et seq.) (relating to activities
12 including the AmeriCorps program), and for grants to or-
13 ganizations operating projects under the AmeriCorps Edu-
14 cation Awards Program (without regard to the require-
15 ments of sections 121(d) and (e), 131(e), 132, and 140(a),
16 (d), and (e) of the Act): of which not more than
17 \$50,000,000 may be used to administer, reimburse, or
18 support any national service program authorized under
19 section 121(d)(2) of such Act (42 U.S.C. 12581(d)(2)):
20 *Provided further*, That to the maximum extent feasible,
21 funds appropriated under subtitle C of title I of the Act
22 shall be provided in a manner that is consistent with the
23 recommendations of peer review panels in order to ensure
24 that priority is given to programs that demonstrate qual-
25 ity, innovation, replicability, and sustainability: *Provided*

1 *further*, That not more than \$10,000,000 of the funds
2 made available under this heading shall be for the Points
3 of Light Foundation for activities authorized under title
4 III of the Act (42 U.S.C. 12661 et seq.), of which not
5 more than \$2,500,000 may be used to support an endow-
6 ment fund, the corpus of which shall remain intact and
7 the interest income from which shall be used to support
8 activities described in title III of the Act, provided that
9 the Foundation may invest the corpus and income in fed-
10 erally insured bank savings accounts or comparable inter-
11 est bearing accounts, certificates of deposit, money market
12 funds, mutual funds, obligations of the United States, and
13 other market instruments and securities but not in real
14 estate investments: *Provided further*, That no funds shall
15 be available for national service programs run by Federal
16 agencies authorized under section 121(b) of such Act (42
17 U.S.C. 12571(b)): *Provided further*, That not less than
18 \$24,000,000 of the funds made available under this head-
19 ing shall be available for the Civilian Community Corps
20 authorized under subtitle E of title I of the Act (42 U.S.C.
21 12611 et seq.): *Provided further*, That not more than
22 \$40,000,000 shall be available for school-based and com-
23 munity-based service-learning programs authorized under
24 subtitle B of title I of the Act (42 U.S.C. 12521 et seq.):
25 *Provided further*, That not more than \$6,100,000 shall be

1 available for quality and innovation activities authorized
 2 under subtitle H of title I of the Act (42 U.S.C. 12853
 3 et seq.): *Provided further*, That not more than \$5,000,000
 4 of the funds made available under this heading shall be
 5 made available to America's Promise—The Alliance for
 6 Youth, Inc. only to support efforts to mobilize individuals,
 7 groups, and organizations to build and strengthen the
 8 character and competence of the Nation's youth: *Provided*
 9 *further*, That not more than \$3,500,000 shall be available
 10 for audits and other evaluations authorized under section
 11 179 of the Act (42 U.S.C. 12639).

12 NATIONAL SERVICE TRUST

13 For payment of educational awards authorized under
 14 subtitle D of title I of the National Community Service
 15 Act of 1990 (42 U.S.C. 12601), \$110,771,000, to remain
 16 available until expended; of which \$5,000,000 shall be
 17 available for national service scholarships for high school
 18 students performing community service, and \$10,000,000
 19 shall be held in reserve as defined in Public Law 108–
 20 45: *Provided*, That the Corporation for National and Com-
 21 munity Service shall enroll no more than 55,000 volun-
 22 teers in the National Service Trust with the funds pro-
 23 vided in this Act.

24 OFFICE OF INSPECTOR GENERAL

25 For necessary expenses of the Office of Inspector
 26 General in carrying out the Inspector General Act of 1978,

1 as amended, \$6,000,000, to remain available until Sep-
2 tember 30, 2005.

3 ADMINISTRATIVE PROVISIONS

4 Notwithstanding any other provision of law, the term
5 “qualified student loan” with respect to national service
6 education awards shall mean any loan determined by an
7 institution of higher education to be necessary to cover
8 a student’s cost of attendance at such institution and
9 made, insured, or guaranteed directly to a student by a
10 State agency, in addition to other meanings under section
11 148(b)(7) of the National and Community Service Act.

12 Notwithstanding any other provision of law, funds
13 made available under section 129(d)(5)(B) of the National
14 and Community Service Act to assist entities in placing
15 applicants who are individuals with disabilities may be
16 provided to any entity that receives a grant under section
17 121 of the Act.

18 U.S. COURT OF APPEALS FOR VETERANS CLAIMS

19 SALARIES AND EXPENSES

20 For necessary expenses for the operation of the
21 United States Court of Appeals for Veterans Claims as
22 authorized by 38 U.S.C. 7251–7298, \$15,938,000 of
23 which \$1,175,000 shall be available for the purpose of pro-
24 viding financial assistance as described, and in accordance
25 with the process and reporting procedures set forth, under
26 this heading in Public Law 102–229.

1 DEPARTMENT OF DEFENSE—CIVIL

2 CEMETERIAL EXPENSES, ARMY

3 SALARIES AND EXPENSES

4 For necessary expenses, as authorized by law, for
5 maintenance, operation, and improvement of Arlington
6 National Cemetery and Soldiers' and Airmen's Home Na-
7 tional Cemetery, including the purchase of one passenger
8 motor vehicle for replacement only, and not to exceed
9 \$1,000 for official reception and representation expenses,
10 \$25,961,000, to remain available until expended.

11 DEPARTMENT OF HEALTH AND HUMAN SERVICES

12 NATIONAL INSTITUTES OF HEALTH

13 NATIONAL INSTITUTE OF ENVIRONMENTAL HEALTH

14 SCIENCES

15 For necessary expenses for the National Institute of
16 Environmental Health Sciences in carrying out activities
17 set forth in section 311(a) of the Comprehensive Environ-
18 mental Response, Compensation, and Liability Act of
19 1980, as amended, and section 126(g) of the Superfund
20 Amendments and Reauthorization Act of 1986,
21 \$80,000,000.

•HR 2861 EH

1 CERCLA: *Provided further*, That none of the funds appro-
2 priated under this heading shall be available for ATSDR
3 to issue in excess of 40 toxicological profiles pursuant to
4 section 104(i) of CERCLA during fiscal year 2004, and
5 existing profiles may be updated as necessary.

6 ENVIRONMENTAL PROTECTION AGENCY

7 SCIENCE AND TECHNOLOGY

8 For science and technology, including research and
9 development activities, which shall include research and
10 development activities under the Comprehensive Environ-
11 mental Response, Compensation, and Liability Act of
12 1980, as amended; necessary expenses for personnel and
13 related costs and travel expenses, including uniforms, or
14 allowances therefor, as authorized by 5 U.S.C. 5901–
15 5902; services as authorized by 5 U.S.C. 3109, but at
16 rates for individuals not to exceed the per diem rate equiv-
17 alent to the maximum rate payable for senior level posi-
18 tions under 5 U.S.C. 5376; procurement of laboratory
19 equipment and supplies; other operating expenses in sup-
20 port of research and development; construction, alteration,
21 repair, rehabilitation, and renovation of facilities, not to
22 exceed \$75,000 per project, \$767,115,000 (reduced by
23 \$7,300,000) which shall remain available until September
24 30, 2005.

1 ENVIRONMENTAL PROGRAMS AND MANAGEMENT

2 For environmental programs and management, in-
3 cluding necessary expenses, not otherwise provided for, for
4 personnel and related costs and travel expenses, including
5 uniforms, or allowances therefor, as authorized by 5
6 U.S.C. 5901–5902; services as authorized by 5 U.S.C.
7 3109, but at rates for individuals not to exceed the per
8 diem rate equivalent to the maximum rate payable for sen-
9 ior level positions under 5 U.S.C. 5376; hire of passenger
10 motor vehicles; hire, maintenance, and operation of air-
11 craft; purchase of reprints; library memberships in soci-
12 eties or associations which issue publications to members
13 only or at a price to members lower than to subscribers
14 who are not members; construction, alteration, repair, re-
15 habilitation, and renovation of facilities, not to exceed
16 \$75,000 per project; and not to exceed \$9,000 for official
17 reception and representation expenses, \$2,192,552,000
18 (increased by \$550,000) (reduced by \$1,000,000) (in-
19 creased by \$1,000,000) (reduced by \$5,400,000) (in-
20 creased by \$5,400,000), which shall remain available until
21 September 30, 2005, including administrative costs of the
22 brownfields program under the Small Business Liability
23 Relief and Brownfields Revitalization Act of 2002.

24 OFFICE OF INSPECTOR GENERAL

25 For necessary expenses of the Office of Inspector
26 General in carrying out the provisions of the Inspector

1 General Act of 1978, as amended, and for construction,
 2 alteration, repair, rehabilitation, and renovation of facili-
 3 ties, not to exceed \$75,000 per project, \$36,808,000, to
 4 remain available until September 30, 2005.

5 BUILDINGS AND FACILITIES

6 For construction, repair, improvement, extension, al-
 7 teration, and purchase of fixed equipment or facilities of,
 8 or for use by, the Environmental Protection Agency,
 9 \$42,918,000 (reduced by \$550,000), to remain available
 10 until expended.

11 HAZARDOUS SUBSTANCE SUPERFUND
 12 (INCLUDING TRANSFERS OF FUNDS)

13 For necessary expenses to carry out the Comprehen-
 14 sive Environmental Response, Compensation, and Liabil-
 15 ity Act of 1980 (CERCLA), as amended, including sec-
 16 tions 111(c)(3), (c)(5), (c)(6), and (e)(4) (42 U.S.C.
 17 9611), and for construction, alteration, repair, rehabilita-
 18 tion, and renovation of facilities, not to exceed \$75,000
 19 per project; \$1,275,000,000, to remain available until ex-
 20 pended, consisting of \$200,000,000, as authorized by sec-
 21 tion 517(a) of the Superfund Amendments and Reauthor-
 22 ization Act of 1986 (SARA), as amended, and
 23 \$1,075,000,000 as a payment from general revenues to
 24 the Hazardous Substance Superfund for purposes as au-
 25 thorized by section 517(b) of SARA, as amended: *Pro-*
 26 *vided*, That funds appropriated under this heading may

1 be allocated to other Federal agencies in accordance with
2 section 111(a) of CERCLA: *Provided further*, That of the
3 funds appropriated under this heading, \$13,214,000 shall
4 be transferred to the “Office of Inspector General” appro-
5 priation to remain available until September 30, 2005,
6 and \$44,697,000 shall be transferred to the “Science and
7 technology” appropriation to remain available until Sep-
8 tember 30, 2005.

9 LEAKING UNDERGROUND STORAGE TANK TRUST FUND

10 For necessary expenses to carry out leaking under-
11 ground storage tank cleanup activities authorized by sec-
12 tion 205 of the Superfund Amendments and Reauthoriza-
13 tion Act of 1986, and for construction, alteration, repair,
14 rehabilitation, and renovation of facilities, not to exceed
15 \$75,000 per project, \$72,545,000 (increased by
16 \$7,300,000), to remain available until expended.

17 OIL SPILL RESPONSE

18 For expenses necessary to carry out the Environ-
19 mental Protection Agency’s responsibilities under the Oil
20 Pollution Act of 1990, \$16,209,000, to be derived from
21 the Oil Spill Liability trust fund, to remain available until
22 expended.

23 STATE AND TRIBAL ASSISTANCE GRANTS

24 For environmental programs and infrastructure as-
25 sistance, including capitalization grants for State revolv-
26 ing funds and performance partnership grants,

1 \$3,601,950,000, to remain available until expended, of
2 which \$1,200,000,000 shall be for making capitalization
3 grants for the Clean Water State Revolving Funds under
4 title VI of the Federal Water Pollution Control Act, as
5 amended (the “Act”), of which up to \$68,000,000 shall
6 be available for loans, including interest free loans as au-
7 thorized by 33 U.S.C. 1383(d)(1)(A), to municipal, inter-
8 municipal, interstate, or State agencies or nonprofit enti-
9 ties for projects that provide treatment for or that mini-
10 mize sewage or stormwater discharges using one or more
11 approaches which include, but are not limited to, decen-
12 tralized or distributed stormwater controls, decentralized
13 wastewater treatment, low-impact development practices,
14 conservation easements, stream buffers, or wetlands res-
15 toration; \$850,000,000 shall be for capitalization grants
16 for the Drinking Water State Revolving Funds under sec-
17 tion 1452 of the Safe Drinking Water Act, as amended;
18 \$50,000,000 shall be for architectural, engineering, plan-
19 ning, design, construction and related activities in connec-
20 tion with the construction of high priority water and
21 wastewater facilities in the area of the United States-Mex-
22 ico Border, after consultation with the appropriate border
23 commission; \$25,000,000 shall be for grants to the State
24 of Alaska to address drinking water and wastewater infra-
25 structure needs of rural and Alaska Native Villages;

1 \$195,000,000 shall be for making grants for the construc-
2 tion of drinking water, wastewater and storm water infra-
3 structure and for water quality protection in accordance
4 with the terms and conditions specified for such grants
5 in the report accompanying this legislation; \$8,250,000
6 for grants for construction of alternative decentralized
7 wastewater facilities under the National Decentralized
8 Wastewater Demonstration program, in accordance with
9 the terms and conditions specified in the report accom-
10 panying this legislation; \$93,500,000 shall be to carry out
11 section 104(k) of the Comprehensive Environmental Re-
12 sponse, Compensation, and Liability Act of 1980
13 (CERCLA), as amended, including grants, interagency
14 agreements, and associated program support costs; and
15 \$1,180,200,000 shall be for grants, including associated
16 program support costs, to States, federally recognized
17 tribes, interstate agencies, tribal consortia, and air pollu-
18 tion control agencies for multi-media or single media pol-
19 lution prevention, control and abatement and related ac-
20 tivities, including activities pursuant to the provisions set
21 forth under this heading in Public Law 104–134, and for
22 making grants under section 103 of the Clean Air Act for
23 particulate matter monitoring and data collection activi-
24 ties, of which and subject to terms and conditions specified
25 by the Administrator, \$50,000,000 shall be for carrying

1 out section 128 of CERCLA, as amended, and
2 \$20,000,000 shall be for National Environmental Infor-
3 mation Exchange Network grants, including associated
4 program support costs: *Provided*, That for fiscal year
5 2004, State authority under section 302(a) of Public Law
6 104–182 shall remain in effect: *Provided further*, That
7 notwithstanding section 603(d)(7) of the Act, the limita-
8 tion on the amounts in a State water pollution control re-
9 volving fund that may be used by a State to administer
10 the fund shall not apply to amounts included as principal
11 in loans made by such fund in fiscal year 2004 and prior
12 years where such amounts represent costs of admin-
13 istering the fund to the extent that such amounts are or
14 were deemed reasonable by the Administrator, accounted
15 for separately from other assets in the fund, and used for
16 eligible purposes of the fund, including administration:
17 *Provided further*, That for fiscal year 2004, and notwith-
18 standing section 518(f) of the Act, the Administrator is
19 authorized to use the amounts appropriated for any fiscal
20 year under section 319 of that Act to make grants to In-
21 dian tribes pursuant to sections 319(h) and 518(e) of that
22 Act: *Provided further*, That for fiscal year 2004, notwith-
23 standing the limitation on amounts in section 518(e) of
24 the Act, up to a total of 1½ percent of the funds appro-
25 priated for State Revolving Funds under title VI of that

1 Act may be reserved by the Administrator for grants
2 under section 518(c) of such Act: *Provided further*, That
3 no funds provided by this legislation to address the water,
4 wastewater and other critical infrastructure needs of the
5 colonias in the United States along the United States-
6 Mexico border shall be made available to a county or mu-
7 nicipal government unless that government has established
8 an enforceable local ordinance, or other zoning rule, which
9 prevents in that jurisdiction the development or construc-
10 tion of any additional colonia areas, or the development
11 within an existing colonia the construction of any new
12 home, business, or other structure which lacks water,
13 wastewater, or other necessary infrastructure: *Provided*
14 *further*, That the referenced statement of the managers
15 under this heading in Public Law 108–7, item number
16 383, is deemed to be amended by adding after the word
17 “overflow”, “and water infrastructure”: *Provided further*,
18 That the referenced statement of the managers under this
19 heading in Public Law 108–07, item number 255, is
20 deemed to be amended by inserting “water and” after the
21 words “Mississippi for”: *Provided further*, That the ref-
22 erenced statement of the managers under this heading in
23 Public Law 108–07, item number 256, is deemed to be
24 amended by adding after the word “for”, “water and”.

ADMINISTRATIVE PROVISIONS

For fiscal year 2004, notwithstanding 31 U.S.C. 6303(1) and 6305(1), the Administrator of the Environmental Protection Agency, in carrying out the Agency's function to implement directly Federal environmental programs required or authorized by law in the absence of an acceptable tribal program, may award cooperative agreements to federally-recognized Indian Tribes or Intertribal consortia, if authorized by their member Tribes, to assist the Administrator in implementing Federal environmental programs for Indian Tribes required or authorized by law, except that no such cooperative agreements may be awarded from funds designated for State financial assistance agreements.

None of the funds appropriated or otherwise made available by this Act shall be used to promulgate a final regulation to implement changes in the payment of pesticide tolerance processing fees as proposed at 64 Fed. Reg. 31040, or any similar proposals. The Environmental Protection Agency may proceed with the development of such a rule.

The Environmental Protection Agency may not use any of the funds appropriated or otherwise made available by this Act to implement the Registration Fee system codified at 40 Code of Federal Regulations Subpart U

1 (sections 152.400 et seq.) if its authority to collect mainte-
 2 nance fees pursuant to FIFRA section 4(i)(5) is extended
 3 for at least 1 year beyond September 30, 2003.

4 Section 136a–1 of title 7, U.S.C. is amended—

5 (1) in subsection (i)(5)(C)(i) by striking
 6 “2003” and inserting “2004”;

7 (2) in subsection (i)(5)(H) by striking “2003”
 8 and inserting “2004”;

9 (3) in subsection (i)(6) by striking “2003” and
 10 inserting “2004”; and

11 (4) in subsection (k)(3)(A) by striking “2003”
 12 and inserting “2004”.

13 EXECUTIVE OFFICE OF THE PRESIDENT

14 OFFICE OF SCIENCE AND TECHNOLOGY POLICY

15 For necessary expenses of the Office of Science and
 16 Technology Policy, in carrying out the purposes of the Na-
 17 tional Science and Technology Policy, Organization, and
 18 Priorities Act of 1976 (42 U.S.C. 6601 and 6671), hire
 19 of passenger motor vehicles, and services as authorized by
 20 5 U.S.C. 3109, not to exceed \$2,500 for official reception
 21 and representation expenses, and rental of conference
 22 rooms in the District of Columbia, \$7,027,000.

23 COUNCIL ON ENVIRONMENTAL QUALITY AND OFFICE OF
 24 ENVIRONMENTAL QUALITY

25 For necessary expenses to continue functions as-
 26 signed to the Council on Environmental Quality and Office

1 of Environmental Quality pursuant to the National Envi-
2 ronmental Policy Act of 1969, the Environmental Quality
3 Improvement Act of 1970, and Reorganization Plan No.
4 1 of 1977, and not to exceed \$750 for official reception
5 and representation expenses, \$3,238,000: *Provided*, That
6 notwithstanding section 202 of the National Environ-
7 mental Policy Act of 1970, the Council shall consist of
8 one member, appointed by the President, by and with the
9 advice and consent of the Senate, serving as chairman and
10 exercising all powers, functions, and duties of the Council.

11 FEDERAL DEPOSIT INSURANCE CORPORATION

12 OFFICE OF INSPECTOR GENERAL

13 For necessary expenses of the Office of Inspector
14 General in carrying out the provisions of the Inspector
15 General Act of 1978, as amended, \$30,125,000, to be de-
16 rived from the Bank Insurance Fund, the Savings Asso-
17 ciation Insurance Fund, and the FSLIC Resolution Fund.

18 GENERAL SERVICES ADMINISTRATION

19 FEDERAL CITIZEN INFORMATION CENTER FUND

20 For necessary expenses of the Federal Citizen Infor-
21 mation Center, including services authorized by 5 U.S.C.
22 3109, \$12,500,000, to be deposited into the Federal Cit-
23 izen Information Center Fund: *Provided*, That the appro-
24 priations, revenues, and collections deposited into the
25 Fund shall be available for necessary expenses of Federal

1 Citizen Information Center activities in the aggregate
2 amount of \$18,000,000. Appropriations, revenues, and
3 collections accruing to this Fund during fiscal year 2004
4 in excess of \$18,000,000 shall remain in the Fund and
5 shall not be available for expenditure except as authorized
6 in appropriations Acts.

7 INTERAGENCY COUNCIL ON THE HOMELESS

8 OPERATING EXPENSES

9 For necessary expenses (including payment of sala-
10 ries, authorized travel, hire of passenger motor vehicles,
11 the rental of conference rooms in the District of Columbia,
12 and the employment of experts and consultants under sec-
13 tion 3109 of title 5, United States Code) of the Inter-
14 agency Council on the Homeless in carrying out the func-
15 tions pursuant to title II of the McKinney-Vento Homeless
16 Assistance Act, as amended, \$1,500,000.

17 NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

18 SPACE FLIGHT CAPABILITIES

19 (INCLUDING TRANSFER OF FUNDS)

20 For necessary expenses, not otherwise provided for,
21 in the conduct and support of space flight capabilities re-
22 search and development activities, including research, de-
23 velopment, operations, support and services; maintenance;
24 construction of facilities including repair, rehabilitation,
25 revitalization and modification of facilities, construction of
26 new facilities and additions to existing facilities, facility

1 planning and design, and acquisition or condemnation of
2 real property, as authorized by law; environmental compli-
3 ance and restoration; space flight, spacecraft control and
4 communications activities including operations, produc-
5 tion, and services; program management; personnel and
6 related costs, including uniforms or allowances therefor,
7 as authorized by 5 U.S.C. 5901–5902; travel expenses;
8 purchase and hire of passenger motor vehicles; not to ex-
9 ceed \$35,000 for official reception and representation ex-
10 penses; and purchase, lease, charter, maintenance and op-
11 eration of mission and administrative aircraft,
12 \$7,806,100,000, to remain available until September 30,
13 2005, of which \$15,000,000 of amounts for the Space
14 Shuttle Life Extension Program shall be for the develop-
15 ment and independent assessment of concepts to increase
16 Space Shuttle crew survivability for crew sizes of 4 to 7
17 astronauts by at least a factor of 20 relative to the dem-
18 onstrated crew survival rate of the Space Shuttle to date,
19 and of which amounts as determined by the Administrator
20 for salaries and benefits; training, travel and awards; facil-
21 ity and related costs; information technology services;
22 science, engineering, fabricating and testing services; and
23 other administrative services may be transferred to
24 “Science, aeronautics and exploration” in accordance with

1 section 312(b) of the National Aeronautics and Space Act
2 of 1958, as amended by Public Law 106–377.

3 SCIENCE, AERONAUTICS AND EXPLORATION
4 (INCLUDING TRANSFER OF FUNDS)

5 For necessary expenses, not otherwise provided for,
6 in the conduct and support of science, aeronautics and ex-
7 ploration research and development activities, including
8 research, development, operations, support and services;
9 maintenance; construction of facilities including repair, re-
10 habilitation, revitalization, and modification of facilities,
11 construction of new facilities and additions to existing fa-
12 cilities, facility planning and design, and acquisition or
13 condemnation of real property, as authorized by law; envi-
14 ronmental compliance and restoration; space flight, space-
15 craft control and communications activities including oper-
16 ations, production, and services; program management;
17 personnel and related costs, including uniforms or allow-
18 ances therefor, as authorized by 5 U.S.C. 5901–5902;
19 travel expenses; purchase and hire of passenger motor ve-
20 hicles; not to exceed \$35,000 for official reception and rep-
21 resentation expenses; and purchase, lease, charter, mainte-
22 nance and operation of mission and administrative air-
23 craft, \$7,707,900,000, to remain available until Sep-
24 tember 30, 2005, of which amounts as determined by the
25 Administrator for salaries and benefits; training, travel
26 and awards; facility and related costs; information tech-

1 nology services; science, engineering, fabricating and test-
2 ing services; and other administrative services may be
3 transferred to “Space flight capabilities” in accordance
4 with section 312(b) of the National Aeronautics and Space
5 Act of 1958, as amended by Public Law 106–377.

6 OFFICE OF INSPECTOR GENERAL

7 For necessary expenses of the Office of Inspector
8 General in carrying out the Inspector General Act of 1978,
9 as amended, \$26,300,000.

10 ADMINISTRATIVE PROVISIONS

11 Notwithstanding the limitation on the availability of
12 funds appropriated for “Science, aeronautics and explo-
13 ration”, or “Space flight capabilities” by this appropria-
14 tions Act, when any activity has been initiated by the in-
15 currence of obligations for construction of facilities or en-
16 vironmental compliance and restoration activities as au-
17 thorized by law, such amount available for such activity
18 shall remain available until expended. This provision does
19 not apply to the amounts appropriated for institutional
20 minor revitalization and construction of facilities, and in-
21 stitutional facility planning and design.

22 Notwithstanding the limitation on the availability of
23 funds appropriated for “Science, aeronautics and explo-
24 ration”, or “Space flight capabilities” by this appropria-
25 tions Act, the amounts appropriated for construction of
26 facilities shall remain available until September 30, 2006.

1 From amounts made available in this Act for these
 2 activities, the Administration may transfer amounts be-
 3 tween aeronautics of the “Science, Aeronautics and Explo-
 4 ration” account and crosscutting technologies of the
 5 “Space flight capabilities” account.

6 Funds for announced prizes otherwise authorized
 7 shall remain available, without fiscal year limitation, until
 8 the prize is claimed or the offer is withdrawn.

9 The unexpired balances of prior appropriations to
 10 NASA for activities for which funds are provided under
 11 this Act may be transferred to the new account established
 12 for the appropriation that provides such activity under this
 13 Act. Balances so transferred may be merged with funds
 14 in the newly established account and thereafter may be
 15 accounted for as one fund under the same terms and con-
 16 ditions.

17 NATIONAL CREDIT UNION ADMINISTRATION

18 CENTRAL LIQUIDITY FACILITY

19 (INCLUDING TRANSFER OF FUNDS)

20 During fiscal year 2004, gross obligations of the Cen-
 21 tral Liquidity Facility for the principal amount of new di-
 22 rect loans to member credit unions, as authorized by 12
 23 U.S.C. 1795 et seq., shall not exceed \$1,500,000,000: *Pro-*
 24 *vided*, That administrative expenses of the Central Liquid-
 25 ity Facility in fiscal year 2004 shall not exceed \$310,000.

1 COMMUNITY DEVELOPMENT REVOLVING LOAN FUND

2 For the Community Development Revolving Loan
3 Fund program as authorized by 42 U.S.C. 9812, 9822
4 and 9910, \$1,000,000 for technical assistance to low-in-
5 come and community development credit unions.

6 NATIONAL SCIENCE FOUNDATION

7 RESEARCH AND RELATED ACTIVITIES

8 For necessary expenses in carrying out the National
9 Science Foundation Act of 1950, as amended (42 U.S.C.
10 1861–1875), and the Act to establish a National Medal
11 of Science (42 U.S.C. 1880–1881); services as authorized
12 by 5 U.S.C. 3109; maintenance and operation of aircraft
13 and purchase of flight services for research support; acqui-
14 sition of aircraft; and authorized travel; \$4,306,360,000
15 (reduced by \$5,000,000), of which not more than
16 \$355,000,000 (reduced by \$5,000,000) shall remain avail-
17 able until expended for Polar research and operations sup-
18 port, and for reimbursement to other Federal agencies for
19 operational and science support and logistical and other
20 related activities for the United States Antarctic program;
21 the balance to remain available until September 30, 2005:
22 *Provided*, That receipts for scientific support services and
23 materials furnished by the National Research Centers and
24 other National Science Foundation supported research fa-
25 cilities may be credited to this appropriation: *Provided fur-*

1 *ther*, That to the extent that the amount appropriated is
 2 less than the total amount authorized to be appropriated
 3 for included program activities, all amounts, including
 4 floors and ceilings, specified in the authorizing Act for
 5 those program activities or their subactivities shall be re-
 6 duced proportionally and used for authorized purposes of
 7 this account.

8 MAJOR RESEARCH EQUIPMENT AND FACILITIES

9 CONSTRUCTION

10 For necessary expenses for the acquisition, construc-
 11 tion, commissioning, and upgrading of major research
 12 equipment, facilities, and other such capital assets pursu-
 13 ant to the National Science Foundation Act of 1950, as
 14 amended, including authorized travel, \$192,330,000, to
 15 remain available until expended.

16 EDUCATION AND HUMAN RESOURCES

17 For necessary expenses in carrying out science and
 18 engineering education and human resources programs and
 19 activities pursuant to the National Science Foundation
 20 Act of 1950, as amended (42 U.S.C. 1861–1875), includ-
 21 ing services as authorized by 5 U.S.C. 3109, authorized
 22 travel, and rental of conference rooms in the District of
 23 Columbia, \$910,680,000, to remain available until Sep-
 24 tember 30, 2005: *Provided*, That to the extent that the
 25 amount of this appropriation is less than the total amount
 26 authorized to be appropriated for included program activi-

1 ties, all amounts, including floors and ceilings, specified
2 in the authorizing Act for those program activities or their
3 subactivities shall be reduced proportionally.

4 SALARIES AND EXPENSES

5 For salaries and expenses necessary in carrying out
6 the National Science Foundation Act of 1950, as amended
7 (42 U.S.C. 1861–1875); services authorized by 5 U.S.C.
8 3109; hire of passenger motor vehicles; not to exceed
9 \$9,000 for official reception and representation expenses;
10 uniforms or allowances therefor, as authorized by 5 U.S.C.
11 5901–5902; rental of conference rooms in the District of
12 Columbia; reimbursement of the General Services Admin-
13 istration for security guard services; \$215,900,000: *Pro-*
14 *vided*, That contracts may be entered into under “Salaries
15 and expenses” in fiscal year 2004 for maintenance and
16 operation of facilities, and for other services, to be pro-
17 vided during the next fiscal year.

18 OFFICE OF THE NATIONAL SCIENCE BOARD

19 For necessary expenses (including payment of sala-
20 ries, authorized travel, hire of passenger motor vehicles,
21 the rental of conference rooms in the District of Columbia,
22 and the employment of experts and consultants under sec-
23 tion 3109 of title 5, United States Code) involved in car-
24 rying out section 4 of the National Science Foundation
25 Act of 1950 (42 U.S.C. 1863) and Public Law 86–209
26 (42 U.S.C. 1880 et seq.), \$3,800,000: *Provided*, That not

1 more than \$9,000 shall be available for official reception
 2 and representation expenses.

3 OFFICE OF INSPECTOR GENERAL

4 For necessary expenses of the Office of Inspector
 5 General as authorized by the Inspector General Act of
 6 1978, as amended, \$10,000,000, to remain available until
 7 September 30, 2005.

8 NEIGHBORHOOD REINVESTMENT CORPORATION

9 PAYMENT TO THE NEIGHBORHOOD REINVESTMENT

10 CORPORATION

11 For payment to the Neighborhood Reinvestment Cor-
 12 poration for use in neighborhood reinvestment activities,
 13 as authorized by the Neighborhood Reinvestment Corpora-
 14 tion Act (42 U.S.C. 8101–8107), \$115,000,000.

15 ADMINISTRATIVE PROVISION

16 Section 605(a) of the Neighborhood Reinvestment
 17 Corporation Act (42 U.S.C. 8104) is amended by—

18 (1) striking out “compensation” and inserting
 19 “salary”; and striking out “highest rate provided for
 20 GS–18 of the General Schedule under section 5332
 21 of title 5 United States Code”; and inserting “rate
 22 for level IV of the Executive Schedule”; and

23 (2) inserting after the end the following sen-
 24 tence: “The Corporation shall also apply the provi-
 25 sions of section 5307 (a)(1), (b)(1), and (b)(2) of
 26 title 5, United States Code, governing limitations on

1 certain pay as if its employees were Federal employ-
2 ees receiving payments under title 5.”.

3 SELECTIVE SERVICE SYSTEM

4 SALARIES AND EXPENSES

5 For necessary expenses of the Selective Service Sys-
6 tem, including expenses of attendance at meetings and of
7 training for uniformed personnel assigned to the Selective
8 Service System, as authorized by 5 U.S.C. 4101–4118 for
9 civilian employees; purchase of uniforms, or allowances
10 therefor, as authorized by 5 U.S.C. 5901–5902; hire of
11 passenger motor vehicles; services as authorized by 5
12 U.S.C. 3109; and not to exceed \$750 for official reception
13 and representation expenses; \$28,290,000: *Provided*, That
14 during the current fiscal year, the President may exempt
15 this appropriation from the provisions of 31 U.S.C. 1341,
16 whenever the President deems such action to be necessary
17 in the interest of national defense: *Provided further*, That
18 none of the funds appropriated by this Act may be ex-
19 pended for or in connection with the induction of any per-
20 son into the Armed Forces of the United States.

21 TITLE IV—GENERAL PROVISIONS

22 SEC. 401. No part of any appropriation contained in
23 this Act shall remain available for obligation beyond the
24 current fiscal year unless expressly so provided herein.

1 SEC. 402. No funds appropriated by this Act may be
2 expended—

3 (1) pursuant to a certification of an officer or
4 employee of the United States unless—

5 (A) such certification is accompanied by,
6 or is part of, a voucher or abstract which de-
7 scribes the payee or payees and the items or
8 services for which such expenditure is being
9 made; or

10 (B) the expenditure of funds pursuant to
11 such certification, and without such a voucher
12 or abstract, is specifically authorized by law;
13 and

14 (2) unless such expenditure is subject to audit
15 by the General Accounting Officer or is specifically
16 exempt by law from such audit.

17 SEC. 403. None of the funds provided in this Act to
18 any department or agency may be obligated or expended
19 for: (1) the transportation of any officer or employee of
20 such department or agency between the domicile and the
21 place of employment of the officer or employee, with the
22 exception of an officer or employee authorized such trans-
23 portation under 31 U.S.C. 1344 or 5 U.S.C. 7905 or (2)
24 to provide a cook, chauffeur, or other personal servants
25 to any officer or employee of such department or agency.

1 SEC. 404. None of the funds provided in this Act may
2 be used for payment, through grants or contracts, to re-
3 cipients that do not share in the cost of conducting re-
4 search resulting from proposals not specifically solicited
5 by the Government: *Provided*, That the extent of cost
6 sharing by the recipient shall reflect the mutuality of in-
7 terest of the grantee or contractor and the Government
8 in the research.

9 SEC. 405. None of the funds provided in this Act may
10 be used, directly or through grants, to pay or to provide
11 reimbursement for payment of the salary of a consultant
12 (whether retained by the Federal Government or a grant-
13 ee) at more than the daily equivalent of the rate paid for
14 level IV of the Executive Schedule, unless specifically au-
15 thorized by law.

16 SEC. 406. None of the funds provided in this Act may
17 be used to pay the expenses of, or otherwise compensate,
18 non-Federal parties intervening in regulatory or adjudica-
19 tory proceedings. Nothing herein affects the authority of
20 the Consumer Product Safety Commission pursuant to
21 section 7 of the Consumer Product Safety Act (15 U.S.C.
22 2056 et seq.).

23 SEC. 407. Except as otherwise provided under exist-
24 ing law, or under an existing Executive order issued pur-
25 suant to an existing law, the obligation or expenditure of

1 any appropriation under this Act for contracts for any
2 consulting service shall be limited to contracts which are:
3 (1) a matter of public record and available for public in-
4 spection; and (2) thereafter included in a publicly available
5 list of all contracts entered into within 24 months prior
6 to the date on which the list is made available to the public
7 and of all contracts on which performance has not been
8 completed by such date. The list required by the preceding
9 sentence shall be updated quarterly and shall include a
10 narrative description of the work to be performed under
11 each such contract.

12 SEC. 408. None of the funds appropriated in this Act
13 may be used to implement any cap on reimbursements to
14 grantees for indirect costs, except as published in Office
15 of Management and Budget Circular A-21.

16 SEC. 409. Such sums as may be necessary for fiscal
17 year 2004 pay raises for programs funded by this Act shall
18 be absorbed within the levels appropriated in this Act.

19 SEC. 410. None of the funds made available in this
20 Act may be used for any program, project, or activity,
21 when it is made known to the Federal entity or official
22 to which the funds are made available that the program,
23 project, or activity is not in compliance with any Federal
24 law relating to risk assessment, the protection of private
25 property rights, or unfunded mandates.

1 SEC. 411. Except in the case of entities that are
2 funded solely with Federal funds or any natural persons
3 that are funded under this Act, none of the funds in this
4 Act shall be used for the planning or execution of any pro-
5 gram to pay the expenses of, or otherwise compensate,
6 non-Federal parties to lobby or litigate in respect to adju-
7 dicatory proceedings funded in this Act. A chief executive
8 officer of any entity receiving funds under this Act shall
9 certify that none of these funds have been used to engage
10 in the lobbying of the Federal Government or in litigation
11 against the United States unless authorized under existing
12 law.

13 SEC. 412. No part of any funds appropriated in this
14 Act shall be used by an agency of the executive branch,
15 other than for normal and recognized executive-legislative
16 relationships, for publicity or propaganda purposes, and
17 for the preparation, distribution or use of any kit, pam-
18 phlet, booklet, publication, radio, television or film presen-
19 tation designed to support or defeat legislation pending
20 before the Congress, except in presentation to the Con-
21 gress itself.

22 SEC. 413. All departments and agencies funded under
23 this Act are encouraged, within the limits of the existing
24 statutory authorities and funding, to expand their use of
25 “E-Commerce” technologies and procedures in the con-

1 duct of their business practices and public service activi-
2 ties.

3 SEC. 414. None of the funds made available in this
4 Act may be transferred to any department, agency, or in-
5 strumentality of the United States Government except
6 pursuant to a transfer made by, or transfer authority pro-
7 vided in, this Act or any other appropriation Act.

8 SEC. 415. None of the funds provided in this Act to
9 any department or agency shall be obligated or expended
10 to procure passenger automobiles as defined in 15 U.S.C.
11 2001 with an EPA estimated miles per gallon average of
12 less than 22 miles per gallon.

13 SEC. 416. Section 312 of the National Aeronautics
14 and Space Administration of 1958, as amended, is further
15 amended—

16 (1) by striking the second Sec. “312” and in-
17 serting “313”;

18 (2) by inserting the title, “Full Cost Appropria-
19 tions Account Structure”, before Sec. 313;

20 (3) in subsection (a)—

21 (A) by striking “Human space flight” and
22 inserting “Space flight capabilities”;

23 (B) by striking “technology” and inserting
24 “exploration”; and

1 (C) by striking “2002” and inserting
2 “2004”; and

3 (4) by striking subsection (c), and inserting the
4 following new subsection:

5 “(c) The unexpired balances of prior appropriations
6 to the Administration for activities authorized under this
7 Act may be transferred to the new account established for
8 such activity in subsection (a). Balances so transferred
9 may be merged with funds in the newly established ac-
10 count and thereafter may be accounted for as one fund
11 under the same terms and conditions”.

12 SEC. 417. None of the funds made available in this
13 Act may be used to implement any policy prohibiting the
14 Directors of the Veterans Integrated Service Networks
15 from conducting outreach or marketing to enroll new vet-
16 erans within their respective Networks.

17 SEC. 418. None of the funds provided in this Act may
18 be expended to apply, in a numerical estimate of the bene-
19 fits of an agency action prepared pursuant to Executive
20 Order No. 12866 or section 812 of the Clean Air Act,
21 monetary values for adult premature mortality that differ
22 based on the age of the adult.

6 SEC. 420. None of the funds made available in this
7 Act may be used to accept, consider, or rely on third-party
8 intentional dosing human studies for pesticides.

18 This Act may be cited as the “Departments of Vet-
19 erans Affairs and Housing and Urban Development, and
20 Independent Agencies Appropriations Act, 2004”.

Attest:

•HR 2861 EH